

**Exhibit 4212.9-E(1): Employee Notifications**

**Status: ADOPTED**

**Original Adopted Date:** 05/01/2016 | **Last Revised Date:** 06/01/2023 | **Last Reviewed Date:** 06/01/2023

**I. To All Employees**

**When/Whom to Notify:** At the beginning of school year or upon employment  
**Education or Other Legal Code:** Education Code 231.5, Government Code 12950  
**Board Policy/Administrative Regulation #:** AR 4119.11/4219.11/4319.11  
**Subject:** The district's policy on sexual harassment, legal remedies, complaints

**When/Whom to Notify:** Annually and 72 hours before pesticide application  
**Education or Other Legal Code:** Education Code 17612  
**Board Policy/Administrative Regulation #:** AR 3514.2  
**Subject:** Use of pesticide products, active ingredients, Internet address to access information on pesticides

**When/Whom to Notify:** Prior to implementing year-round schedule  
**Education or Other Legal Code:** Education Code 37616  
**Board Policy/Administrative Regulation #:** BP 6117  
**Subject:** Public hearing on implementing year-round program schedule

**When/Whom to Notify:** Prior to implementing alternative schedule  
**Education or Other Legal Code:** Education Code 46162  
**Board Policy/Administrative Regulation #:** BP 6112  
**Subject:** Public hearing on alternative schedule in secondary grades

**When/Whom to Notify:** Annually  
**Education or Other Legal Code:** Education Code 49013; 5 CCR 4622  
**Board Policy/Administrative Regulation #:** AR 1312.3; BP 0460; BP 3260  
**Subject:** Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control accountability plan

**When to Notify:** Annually  
**Education or Other Legal Code:** Education Code 49069.5, 51225.1  
**Board Policy/Administrative Regulation #:** AR 6173, AR 6173.1, 6173.3, 6175  
**Subject:** Transfer of coursework and credits for foster youth, students experiencing homelessness, former juvenile court school students, children of military family, migrant students, and students participating in a newcomer program.

**When/Whom to Notify:** Annually  
**Education or Other Legal Code:** Education Code 49414  
**Board Policy/Administrative Regulation #:** AR 5141.21  
**Subject:** Request for volunteers to be trained to administer epinephrine auto-injectors

**When/Whom to Notify:** At least once per year

**Education or Other Legal Code: Education Code 49414.3**  
**Board Policy/Administrative Regulation #: AR 5141.21**  
**Subject: Request for volunteers to be trained to administer opioid antagonist**

**When to Notify: When a parent/guardian requests for district designation of volunteers is received for training on emergency use of anti-seizure medication for a student diagnosed with seizures**

**Education or Other Legal Code: Education Code 49468.2**  
**Board Policy/Administrative Regulation #: To be included in AR 5141.21**  
**Subject: Request for volunteers to be trained in recognition and response to seizures, including administration of emergency anti-seizure medication, description of training, right to rescind offer to volunteer, prohibition against retaliation.**

**When/Whom to Notify: To all employees**

**Education or Other Legal Code: Government Code 1126**  
**Board Policy/Administrative Regulation #: BP 4136/4236/4336**  
**Subject: Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal**

**When/Whom to Notify: To all employees**

**Education or Other Legal Code: Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210**  
**Board Policy/Administrative Regulation #: BP 4020, BP 4159/4259/4359**  
**Subject: District's drug- and alcohol-free workplace; actions that will be taken if violated; available employee assistance programs**

**When/Whom to Notify: Upon employment**

**Education or Other Legal Code: Government Code 21029**  
**Board Policy/Administrative Regulation #: None**  
**Subject: Right to purchase PERS service credit for military service performed prior to public employment**

**When/Whom to Notify: Upon placement of automated external defibrillator (AED) in school, annually thereafter**

**Education or Other Legal Code: Health and Safety Code 1797.196**  
**Board Policy/Administrative Regulation #: AR 5141**  
**Subject: Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan**

**When/Whom to Notify: If the district receives Tobacco-Use Prevention Education funds**

**Education or Other Legal Code: Health and Safety Code 104420**  
**Board Policy/Administrative Regulation #: AR 3513.3**  
**Subject: District's tobacco-free schools policy and enforcement procedures**

**When/Whom to Notify: Annually, or more frequently if there is new information**

**Education or Other Legal Code: Health and Safety Code 120875, 120880**  
**Board Policy/Administrative Regulation #: BP 4119.43/4219.43/4319.43**  
**Subject: AIDS and hepatitis B, methods to prevent exposure**

**When/Whom to Notify: To new employees upon hire and other employees upon request, in districts with 25 or more employees**

**Education or Other Legal Code: Labor Code 230.1**  
**Board Policy/Administrative Regulation #: AR 4161.2/4261.2/4361.2**

**Subject: Rights pursuant to Labor Code 230-230.1 pertaining to leaves and accommodations for victims of crime or abuse**

**When/Whom to Notify: With each paycheck**

**Education or Other Legal Code: Labor Code 246**

**Board Policy/Administrative Regulation #: AR 4161.1/4261.1/4361.1**

**Subject: Amount of sick leave available**

**When/Whom to Notify: Upon hire, in employee handbook, and upon request for parental leave**

**Education or Other Legal Code: Labor Code 1034**

**Board Policy/Administrative Regulation #: BP 4033**

**Subject: The district's policy on lactation accommodation**

**When/Whom to Notify: To covered employees and former employees**

**Education or Other Legal Code: Labor Code 2800.2**

**Board Policy/Administrative Regulation #: AR 4154/4254/4354**

**Subject: Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage**

**When/Whom to Notify: To employees participating in a flexible spending account**

**Education or Other Legal Code: Labor Code 2810.7**

**Board Policy/Administrative Regulation #: None**

**Subject: Deadline to withdraw funds from account before the end of the plan year**

**When/Whom to Notify: To every new employee, either at the time employee is hired or by end of first pay period**

**Education or Other Legal Code: Labor Code 3551**

**Board Policy/Administrative Regulation #: AR 4157.1/4257.1/4357.1**

**Subject: Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor**

**When/Whom to Notify: Within one day of receiving notice of potential exposure to COVID-19, and remain posted for not less than 15 calendar days, to employees who were on the premises during the infectious period, the exclusive representative, and the employer of subcontracted employees as applicable**

**Where: Prominently display in all places where notices to employees concerning workplace rules or regulations are customarily posted**

**Education or Other Legal Code: Labor Code 6409.6**

**Board Policy/Administrative Regulation #: AR 4157/4257/4357**

**Subject: Potential exposure to COVID-19; benefits to which employees may be entitled; available leave options; protection against discrimination and retaliation; district's disinfection and safety plan**

**When/Whom to Notify: Prior to beginning employment**

**Education or Other Legal Code: Penal Code 11165.7, 11166.5**

**Board Policy/Administrative Regulation #: AR 5141.4**

**Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law**

**When/Whom to Notify: Upon employment and when leaving work due to pregnancy or nonoccupational sickness or injury**

**Education or Other Legal Code: Unemployment Insurance Code 2613**

**Board Policy/Administrative Regulation #: AR 4154/4254/4354**

**Subject: Disability insurance rights and benefits**

**When/Whom to Notify: To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when the Superintendent Chief Learning Officer or designee believes the employee needs the information for the protection of self or others when working with the student, when Superintendent Chief Learning Officer or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses**

**Education or Other Legal Code: Welfare and Institutions Code 827**

**Board Policy/Administrative Regulation #: AR 4158/4258/4358**

**Subject: Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff**

**When/Whom to Notify: To all employees and job applicants**

**Education or Other Legal Code: 2 CCR 11023; 34 CFR 104.8, 106.9**

**Board Policy/Administrative Regulation #: BP 0410, AR 4030**

**Subject: District's policy on nondiscrimination and related complaint procedures**

**When/Whom to Notify: To all employees via employee handbook, or to each new employee**

**Education or Other Legal Code: 2 CCR 11091, 11095; 29 CFR 825.300**

**Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8**

**Subject: Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible**

**When/Whom to Notify: To all employees**

**Education or Other Legal Code: 8 CCR 3203**

**Board Policy/Administrative Regulation #: AR 4157/4257/4357**

**Subject: The right and procedure to access the injury and illness prevention program**

**When/Whom to Notify: To all employees**

**Education or Other Legal Code: 34 CFR 106.8**

**Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11**

**Subject: Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office for Civil Rights**

**When/Whom to Notify: Annually**

**Education or Other Legal Code: 40 CFR 763.84, 763.93**

**Board Policy/Administrative Regulation #: AR 3514**

**Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress**

**When/Whom to Notify: Prior to the beginning of school year or upon employment**

**Education or Other Legal Code: 20 USC 2354; 34 CFR 100 Appendix B, 104.8**

**Board Policy/Administrative Regulation #: AR 6178**

**Subject: All career and technical education opportunities are offered without regard to race, color, national origin, sex, or disability in accordance with 34 CFR 100**

## **II. To Certificated Employees**

**When/Whom to Notify: To eligible certificated employees in a timely manner, and to part-time**

and substitute certificated employees within 30 days of hire  
Education or Other Legal Code: Education Code 22455.5  
Board Policy/Administrative Regulation #: AR 4121  
Subject: Criteria for membership in retirement system; right to elect membership at any time

When/Whom to Notify: Upon employment of a retired certificated individual  
Education or Other Legal Code: Education Code 22461  
Board Policy/Administrative Regulation #: AR 4117.14/4317.14  
Subject: Postretirement earnings limitation or employment restriction; monthly report of compensation

When/Whom to Notify: To certificated employees  
Education or Other Legal Code: Education Code 35171  
Board Policy/Administrative Regulation #: AR 4115, BP 4315  
Subject: District regulations related to performance evaluations

When/Whom to Notify: 30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated  
Education or Other Legal Code: Education Code 44663  
Board Policy/Administrative Regulation #: AR 4115  
Subject: Copy of employee's evaluation

When/Whom to Notify: To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee  
Education or Other Legal Code: Education Code 44664  
Board Policy/Administrative Regulation #: AR 4115  
Subject: Notice and description of the unsatisfactory performance

When/Whom to Notify: By May 30, if district elects to issue reemployment notices to certificated employees  
Education or Other Legal Code: Education Code 44842  
Board Policy/Administrative Regulation #: AR 4112.1  
Subject: Request that the employee notify district of intent to remain in service next year

When/Whom to Notify: To probationary and temporary certificated employees upon employment and every July thereafter  
Education or Other Legal Code: Education Code 44916  
Board Policy/Administrative Regulation #: AR 4112.1, AR 4121  
Subject: Employment status and salary

When/Whom to Notify: To probationary employee, by March 15  
Education or Other Legal Code: Education Code 44929.21, 44929.23, 44948.5  
Board Policy/Administrative Regulation #: BP 4116  
Subject: Whether or not employee is reelected for next school year

When/Whom to Notify: When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year  
Education or Other Legal Code: Education Code 44934, 44934.1, 44936  
Board Policy/Administrative Regulation #: BP 4118; AR 4118  
Subject: Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

**When/Whom to Notify:** To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice  
**Education or Other Legal Code:** Education Code 44938  
**Board Policy/Administrative Regulation #:** BP 4118  
**Subject:** Notice of deficiency and opportunity to correct

**When/Whom to Notify:** To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year  
**Education or Other Legal Code:** Education Code 44938  
**Board Policy/Administrative Regulation #:** BP 4118  
**Subject:** Notice of deficiency and opportunity to correct

**When/Whom to Notify:** To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings  
**Education or Other Legal Code:** Education Code 44940.5  
**Board Policy/Administrative Regulation #:** AR 4118  
**Subject:** Notice of intent to dismiss 30 days from notice unless employee demands hearing

**When/Whom to Notify:** To probationary employee 30 days prior to dismissal during school year, but not later than March 15 for a second- year probationary employee  
**Education or Other Legal Code:** Education Code 44948.3  
**Board Policy/Administrative Regulation #:** AR 4118  
**Subject:** Reasons for dismissal and opportunity to appeal

**When/Whom to Notify:** By March 15 when necessary to reduce certificated personnel, with final notice by May 15  
**Education or Other Legal Code:** Education Code 44949, 44955  
**Board Policy/Administrative Regulation #:** BP 4117.3  
**Subject:** Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination

**When/Whom to Notify:** Before the end of the school year to temporary employee who served 75 percent of school year but will be released  
**Education or Other Legal Code:** Education Code 44954  
**Board Policy/Administrative Regulation #:** BP 4121  
**Subject:** District's decision not to reelect employee for following school year

**When/Whom to Notify:** During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to any permanent or probationary certificated employee, including an employee holding a position that requires administrative or supervisory credential, whose services are terminated  
**Education or Other Legal Code:** Education Code 44955.5  
**Board Policy/Administrative Regulation #:** BP 4117.3  
**Subject:** Decrease in the number of permanent employees in accordance with a schedule of notice and hearing adopted by the Board

**When/Whom to Notify:** To teacher, when a student engages in or is reasonably suspected of specified acts  
**Education or Other Legal Code:** Education Code 49079

**Board Policy/Administrative Regulation #: AR 4158/4258/4358**

**Subject: Student has committed specified act that constitutes ground for suspension or expulsion**

**When/Whom to Notify: To teacher of a student who is suspended or expelled, when Superintendent Chief Learning Officer or designee receives transfer student's record regarding acts that resulted in suspension or expulsion**

**Education or Other Legal Code: Education Code 48201**

**Board Policy/Administrative Regulation #: AR 4158/4258/4358**

**Subject: Student has committed specified act that constitutes ground for suspension or expulsion**

**When/Whom to Notify: To certificated employee upon change in employment status due to alleged misconduct**

**Education or Other Legal Code: 5 CCR 80303**

**Board Policy/Administrative Regulation #: AR 4117.7/4317.7**

**Subject: Contents of state regulation re: report to Commission on Teacher Credentialing**

### **III. To Classified Employees**

**When/Whom to Notify: When classified employee is subject to disciplinary action for cause, in nonmerit district**

**Education or Other Legal Code: Education Code 45113**

**Board Policy/Administrative Regulation #: AR 4218**

**Subject: Notice of charges, right to hearing, timeline for requesting hearing**

**When/Whom to Notify: By March 15, when laid off due to lack of work or lack of funds, with final notice by May 15**

**Education or Other Legal Code: Education Code 45117**

**Board Policy/Administrative Regulation #: AR 4217.3**

**Subject: Notice of layoff, displacement and reemployment rights, right to hearing; final notice of Board decision regarding termination**

**When/Whom to Notify: During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to classified employees who are laid off due to lack of work or lack of funds**

**Education or Other Legal Code: Education Code 45117**

**Board Policy/Administrative Regulation #: AR 4217.3**

**Subject: District Statement of Reduction in Force to affected employees in accordance with a schedule of notice and hearing adopted by the Board**

**When/Whom to Notify: At least 60 days prior to the effective date of layoff, if the employee's position must be eliminated due to the expiration of a specially funded program**

**Education or Other Legal Code: Education Code 45117**

**Board Policy/Administrative Regulation #: AR 4217.3**

**Subject: Notice of layoff date, displacement and reemployment rights**

**When/Whom to Notify: Upon employment and upon each change in classification**

**Education or Other Legal Code: Education Code 45169**

**Board Policy/Administrative Regulation #: AR 4212**

**Subject: Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek**

**When/Whom to Notify:** To permanent employee whose leave is exhausted  
**Education or Other Legal Code:** Education Code 45192, 45195  
**Board Policy/Administrative Regulation #:** AR 4261.1, AR 4261.11  
**Subject:** Exhaustion of leave, opportunity to request additional leave

**When/Whom to Notify:** To school bus drivers and school activity bus drivers prior to expiration of specified documents  
**Education or Other Legal Code:** 13 CCR 1234  
**Board Policy/Administrative Regulation #:** AR 3542  
**Subject:** Expiration date of driver's license, driver's certificate and medical certificate; need to renew

**When/Whom to Notify:** To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter  
**Education or Other Legal Code:** 13 CCR 2480  
**Board Policy/Administrative Regulation #:** AR 3542  
**Subject:** Limitations on vehicle idling; consequences of not complying

**When/Whom to Notify:** To school bus drivers, prior to district drug testing program and thereafter upon employment  
**Education or Other Legal Code:** 49 CFR 382.113, 382.601  
**Board Policy/Administrative Regulation #:** AR 4112.42/4212.42/4312.42  
**Subject:** Explanation of federal requirements for drug testing program and district's policy; prior to administration of each drug or alcohol test

**When/Whom to Notify:** To school bus drivers, prior to operating school bus  
**Education or Other Legal Code:** 49 CFR 382.303  
**Board Policy/Administrative Regulation #:** AR 4112.42/4212.42/4312.42  
**Subject:** Post accident information, procedures, and instruction

#### **IV. To Administrative/Supervisory Personnel**

**When/Whom to Notify:** To Superintendent Chief Learning Officer, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract  
**Education or Other Legal Code:** Education Code 35031  
**Board Policy/Administrative Regulation #:** BP 2121, BP 4312.1  
**Subject:** Decision not to reelect or reemploy upon expiration of contract or term

**When/Whom to Notify:** Upon request by administrative or supervisory employee transferred to teaching position  
**Education or Other Legal Code:** Education Code 44896  
**Board Policy/Administrative Regulation #:** AR 4313.2  
**Subject:** Statement of the reasons for the reassignment

**When/Whom to Notify:** By March 15 to employee who may be released/reassigned the following school year  
**Education or Other Legal Code:** Education Code 44951  
**Board Policy/Administrative Regulation #:** AR 4313.2  
**Subject:** Notice that employee may be released or reassigned the following school year



## **V. To Individual Employees Under Special Circumstances**

**When/Whom to Notify:** In the event of a breach of security of district records to affected employees

**Education or Other Legal Code:** Civil Code 1798.29

**Board Policy/Administrative Regulation #:** BP 3580

**Subject:** Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies

**When/Whom to Notify:** Prior to placing derogatory information in personnel file

**Education or Other Legal Code:** Education Code 44031

**Board Policy/Administrative Regulation #:** AR 4112.6/4212.6/4312.6

**Subject:** Notice of derogatory information, opportunity to review and comment

**When/Whom to Notify:** To employees who volunteer to administer epinephrine auto-injector

**Education or Other Legal Code:** Education Code 49414

**Board Policy/Administrative Regulation #:** AR 5141.21

**Subject:** Defense and indemnification from civil liability by the district

**When/Whom to Notify:** To district police officer, within 30 days of decision to impose discipline

**Education or Other Legal Code:** Government Code 3304

**Board Policy/Administrative Regulation #:** AR 3515.3

**Subject:** Decision to impose discipline, including the date that discipline will be imposed

**When/Whom to Notify:** To employee returning from military leave of absence, within 30 days of return

**Education or Other Legal Code:** Government Code 20997

**Board Policy/Administrative Regulation #:** AR 4161.5/4261.5/4361.5

**Subject:** Right to receive PERS service credit for military service; application form

**When/Whom to Notify:** 24 hours before Board meets in closed session to hear complaints or charges against employee

**Education or Other Legal Code:** Government Code 54957

**Board Policy/Administrative Regulation #:** BB 9321

**Subject:** Employee's right to have complaints/charges heard in open session

**When/Whom to Notify:** When taking disciplinary action against employee for disclosure of confidential information

**Education or Other Legal Code:** Government Code 54963

**Board Policy/Administrative Regulation #:** BP 4119.23/4219.23/4319.23

**Subject:** Law prohibiting disclosure of confidential information obtained in closed session

**When/Whom to Notify:** When document identifying employee who is victim of domestic violence is disclosed

**Education or Other Legal Code:** Labor Code 230

**Board Policy/Administrative Regulation #:** AR 4158/4258/4358

**Subject:** Accommodations and leave for victims of domestic violence

**When/Whom to Notify:** Within one working day of work-related injury or victimization of crime

**Education or Other Legal Code:** Labor Code 3553, 5401

**Board Policy/Administrative Regulation #:** AR 4157.1/4257.1/4357.1

**Subject:** Potential eligibility for workers' compensation benefits, claim form

**When/Whom to Notify:** When adverse employment action is based on DOJ criminal history information or subsequent arrest notification

**Education or Other Legal Code:** Penal Code 11105, 11105.2

**Board Policy/Administrative Regulation #:** AR 4112.5/4212.5/4312.5

**Subject:** Copy of DOJ notification

**When/Whom to Notify:** To any employee with exposure to blood or potentially infectious materials, upon initial employment and at least annually thereafter

**Education or Other Legal Code:** 8 CCR 3204

**Board Policy/Administrative Regulation #:** AR 4119.42/4219.42/4319.42

**Subject:** The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records

**When/Whom to Notify:** To any employee assigned to a work area in a laboratory setting where hazardous chemicals are present, within 15 working days after receiving a monitoring result related to an employee exposure determination

**Education or Other Legal Code:** 8 CCR 5191

**Board Policy/Administrative Regulation #:** AR 3514.1

**Subject:** Contents of 8 CCR 5191, including location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material

**When/Whom to Notify:** To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area

**Education or Other Legal Code:** 8 CCR 5194

**Board Policy/Administrative Regulation #:** AR 3514.1

**Subject:** Requirements of 8 CCR 5194, including any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights

**When/Whom to Notify:** To employee eligible for military leave

**Education or Other Legal Code:** 38 USC 4334

**Board Policy/Administrative Regulation #:** AR 4161.5/4261.5/4361.5

**Subject:** Notice of rights, benefits, and obligations under military leave

**When/Whom to Notify:** Within five days of employee's request for family care and medical leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave

**Education or Other Legal Code:** 29 CFR 825.300; 2 CCR 11049, 11091

**Board Policy/Administrative Regulation #:** AR 4161.8/4261.8/4361.8

**Subject:** Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

**When/Whom to Notify:** Whenever notice of eligibility for FMLA is provided to employee

**Education or Other Legal Code:** 29 CFR 825.300

**Board Policy/Administrative Regulation #:** AR 4161.8/4261.8/4361.8

**Subject:** Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

**When/Whom to Notify:** To all employees working with families experiencing homelessness

**Education or Other Legal Code:** Education Code 48851.3, 42 USC 11432

**Board Policy/Administrative Regulation #:** AR 6173

**Subject:** Duties of district liaison for homeless students and availability of training and services

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
13 CCR 1234	Reports regarding school buses and bus drivers
13 CCR 2480	Vehicle idling; limitations
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11035-11051	Unlawful sex discrimination; pregnancy, childbirth, and related medical conditions
2 CCR 11087-11098	California Family Rights Act
5 CCR 4622	Uniform complaint procedures
5 CCR 80303	Reports of change in employment status; alleged misconduct
8 CCR 3204	Access to employee exposure and medical records
8 CCR 5191	Chemical hygiene plan
8 CCR 5194	Hazard communication
Civ. Code 1798.29	<a href="#">District records; breach of security</a>
Ed. Code 17612	Notification of pesticide use
Ed. Code 22455.5	STRS information to potential members
Ed. Code 22461	Postretirement compensation limitation
Ed. Code 231.5	Sexual harassment policy
Ed. Code 35031	Term of employment
Ed. Code 35171	Availability of rules and regulations for evaluation of performance
Ed. Code 37616	Consultation regarding year-round schedule
Ed. Code 44663-44664	Evaluation of certificated employees
Ed. Code 44842	Reemployment notices; certificated employees
Ed. Code 44896	Transfer of administrator or supervisor to teaching position
Ed. Code 44916	Written statement of employment status
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more
Ed. Code 44929.23	Districts with less than 250 ADA
Ed. Code 44934	Notice of disciplinary action for cause
Ed. Code 44938	Notice of unprofessional conduct and opportunity to correct
Ed. Code 44940.5-44941	Notification of suspension and intent to dismiss

Ed. Code 44948.3-44948.5	Dismissal of probationary employees
Ed. Code 44948.5	Nonreelection procedures; districts under 250 ADA
Ed. Code 44949	Dismissal of probationary employees
Ed. Code 44951	Continuation in position unless notified; administrative or supervisory personnel
Ed. Code 44954	Nonreelection of temporary employees
Ed. Code 44955	Reduction in number of permanent employees
Ed. Code 44955.5	Decrease in number of permanent employees during specified time period upon determination related to local control funding formula per unit of average daily attendance
Ed. Code 45113	Notification of charges; classified employees
Ed. Code 45117	Notice of layoff; classified employees
Ed. Code 45169	Employee salary data; classified employees
Ed. Code 45192	Industrial accident and illness leave for classified employees
Ed. Code 45195	Additional leave
Ed. Code 46162	Alternative schedule for junior high and high school; public hearing with notice
Ed. Code 48201	Transfer student's record for acts that resulted in suspension or expulsion
Ed. Code 48851.3	Education of students in foster care and students who are homeless
Ed. Code 49013	Complaints regarding student fees
Ed. Code 49079	Notification to teacher, student who has engaged in acts re: grounds suspension or expulsion
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
Gov. Code 1126	Incompatible activities of employees
Gov. Code 12950	Sexual harassment
Gov. Code 21029	Retirement credit for period of military service
Gov. Code 54957	Complaints against employees; right to open session
Gov. Code 54963	Unauthorized disclosure of confidential information
Gov. Code 8355	Certification of drug-free workplace, including notification
H&S Code 104420	Tobacco-free schools
H&S Code 120875	Information on AIDS, AIDS-related conditions, and hepatitis B

H&S Code 120880	Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
H&S Code 1797.196	Automated external defibrillators; notification of use and locations
Lab. Code 230	Accommodations and leave for victims of domestic violence
Lab. Code 2800.2	Notification of availability of continuation health coverage
Lab. Code 3550-3553	Notifications re: workers' compensation benefits
Lab. Code 5401	Workers' compensation; claim form and notice of potential eligibility
Pen. Code 11165.7	Child Abuse and Neglect Reporting Act; notification requirement
Pen. Code 11166.5	Employment; statement of knowledge of duty to report child abuse or neglect
Unemp. Ins. Code 2613	Disability insurance; notice of rights and benefits
W&I Code 827	Limited exception to juvenile court record
<b>Federal</b>	<b>Description</b>
20 USC 2354	Local application for career and technical education programs
29 CFR 825.300	Family and Medical Leave Act; notice requirement
34 CFR 100	Nondiscrimination under programs receiving federal assistance
34 CFR 104.8	Nondiscrimination
34 CFR 106.9	Severability
34 CFR 84.205-84.210	Drug-free workplace statement
38 USC 4334	Uniformed Services Employment and Reemployment Rights Act; notice requirement
40 CFR 763.84	Asbestos inspections, response actions and post-response actions
40 CFR 763.93	Asbestos management plans
41 USC 8101-8106	Drug-Free Workplace Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
49 CFR 382.113	Controlled substance and alcohol use and testing notifications
49 CFR 382.303	Post-accident information, procedures, and instructions
49 CFR 382.601	Controlled substance and alcohol use and testing notification
<b>Management Resources</b>	<b>Description</b>

**Cross References**

<b>Code</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
2121	Superintendent's Contract
3260	Fees And Charges
3260	Fees And Charges
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3514.2	Integrated Pest Management
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3542	School Bus Drivers
3580	District Records
3580	District Records
4020	Drug And Alcohol-Free Workplace
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4033	Lactation Accommodation
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.5	Criminal Record Check
4112.5	Criminal Record Check
4112.6	Personnel Files

4115	Evaluation/Supervision
4115	Evaluation/Supervision
4116	Probationary/Permanent Status
4116	Probationary/Permanent Status
4117.14	Postretirement Employment
4117.3	Personnel Reduction
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.43	Universal Precautions
4119.43	Universal Precautions
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4136	Nonschool Employment
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4157	Employee Safety
4157	Employee Safety
4157.1	Work-Related Injuries
4158	Employee Security
4158	Employee Security
4161.1	Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave
4161.2	Personal Leaves
4161.5	Military Leave
4161.8	Family Care And Medical Leave
4212	Appointment And Conditions Of Employment
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.5	Criminal Record Check
4212.5	Criminal Record Check

4212.6	Personnel Files
4216	Probationary/Permanent Status
4217.3	Layoff/Rehire
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.43	Universal Precautions
4219.43	Universal Precautions
4236	Nonschool Employment
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4257	Employee Safety
4257	Employee Safety
4257.1	Work-Related Injuries
4258	Employee Security
4258	Employee Security
4261.1	Personal Illness/Injury Leave
4261.11	Industrial Accident/Illness Leave
4261.2	Personal Leaves
4261.5	Military Leave
4261.8	Family Care And Medical Leave
4312.1	Contracts
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.5	Criminal Record Check
4312.5	Criminal Record Check
4312.6	Personnel Files
4317.14	Postretirement Employment
4317.7	Employment Status Reports
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.43	Universal Precautions
4319.43	Universal Precautions
4336	Nonschool Employment



4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4357	Employee Safety
4357	Employee Safety
4357.1	Work-Related Injuries
4358	Employee Security
4358	Employee Security
4361.1	Personal Illness/Injury Leave
4361.11	Industrial Accident/Illness Leave
4361.2	Personal Leaves
4361.5	Military Leave
4361.8	Family Care And Medical Leave
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6117	Year-Round Schedules
6173	Education For Homeless Children
6173	Education For Homeless Children
6173	Education For Homeless Children
6173	Education For Homeless Children
6178	Career Technical Education
6178	Career Technical Education
9310	Board Policies
9321	Closed Session
9321	Closed Session
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