

# Employee Standards of Conduct 2017-2018

## SCHOOL POLICIES

### Equal Opportunity Employer Policy

Mulberry School prohibits discrimination against employees or applicants for employment on the basis of race, color, religion, sex, gender, sexual identity, national origin, ancestry, citizenship, age, marital status, physical or mental disability, medical condition, sexual orientation, or any other basis protected by law. Mulberry School will afford equal employment opportunity to all qualified employees and applicants as to all terms and conditions of employment, including compensation, hiring, training, promotion, transfer, discipline, and termination. Employees who believe they have experienced any form of employment discrimination are encouraged to report this immediately, using the complaint procedure provided in Appendix B of this Employee Handbook.

## EMPLOYEE RESPONSIBILITIES AND EXPECTATIONS

### Employee Responsibilities – All Employees

**School and Landlord Property:** Each employee is accountable for overseeing the responsible use of Mulberry School's materials and property and the property of the landlord. Any questions should be directed to the CFOO or Head of School.

**Handbooks:** Each employee is responsible for knowing and upholding all guidelines and policies set forth in this Employee Handbook and the Parent Handbook, as may be amended from time to time; updates will be reviewed at staff meetings.

**School Representative:** It is the responsibility of all employees to represent Mulberry School accurately and positively in the School and the larger community.

## Additional Employee Responsibilities - Teaching Staff

**Classroom Etiquette:** The classroom teacher is responsible for the appearance and cleanliness of the classroom and adjacent hallways and shared spaces.

**Parent Participation:** Classroom teachers shall work with the class representative before the start of the School year to communicate needs for parents' participation, as described in the Parent Handbook. Flexibility should be used with participation guidelines whenever possible and practical, balancing parental needs with those of the classroom.

**Curriculum Planning:** Each teaching staff shall create a written curriculum overview for the School year and must include activities reflecting the grade level established by the state of California. The overview must address all core areas of curriculum, language arts, mathematics, social studies, science, and art. The faculty will outline additional areas of curriculum (e.g., cooking, music, field trips, and gardening) stating the budgeted amount for each category, including fees required of parents (e.g., field trips). The overview and accompanying budget must be presented to the Head of School before the beginning of the School year so that any necessary adjustments can be made accordingly.

**Classroom Supervision:** Teachers are not to leave students unattended in the classroom at any time during the day. Full-time teachers are expected to be on campus at all times during the school day except during their lunch period or as permitted by advance permission from the Head of School.

### Playground Supervision

Employees are responsible for understanding and enforcing playground rules which are described in the Parent Handbook, including any modifications or addendum which may be made in the form of agreements between playground supervisors and students.

Classroom teachers will discuss playground rules with students and supervising parents. Teachers will train parents in appropriate enforcement and provide ongoing training and oversight of supervising parents. While parents assist the supervising employees with playground responsibilities, supervising employees retain primary responsibility for oversight of students on the playground and must remain on the playground at all times when students are present.

Children must be supervised via line-of-sight at all times while on the playground and field. Supervising employees are required to coordinate with parents working under their direction to ensure that each child can be directly seen by at least one adult at all times.

## Field Trips

**Attendance:** The classroom teacher is responsible for selecting field trips that are meaningful to the curriculum. At the teacher's discretion, a parent field trip coordinator will assist in booking and arranging field trips. Field trips will be scheduled through organizations that specialize in educational programs which enhance student learning. Exceptions to this policy must be approved by the HOS and/or AHOS. The teacher is required to attend every field trip and remain with the class for the entire time away from School. The teacher acts as a representative of Mulberry School while class is off site, and as such, policies remain in effect while attending all field trips.

**Overnight Trips:** When a teacher arranges for the class to participate in an overnight field trip, the requirement to attend the trip in its entirety is modified. The teacher may not appoint a parent to assume responsibility for the class during his/her absence. When a teacher requires time away from the scheduled trip, a Mulberry staff member must assume responsibility. All parents must have received finger-printing clearance prior to participating in the field trip.

Medication: If a child will require medication during the field trip, the teacher will notify the Receptionist. No medication may be given without the express written permission of the child's parent and a prescription in the original container indicating the name of the medication, method, amount, and time schedule for taking the medication. All prescription medications must be provided in the original pharmacy containers, with dosing labels adhered thereon. Medication will be administered as indicated on the label or on the packaging unless a note from the student's physician indicates otherwise.

Driving: Teachers are not allowed to drive children to or from a field trip. Parents may transport children in their cars to and from field trips provided that a copy of their driver's license and insurance policy showing the required coverage are on file in the School office.

#### Standards of Conduct

Relationships: School employees are role models for children and families enrolled in the School. As such, employees are expected to act with integrity at all times and be respectful in relationships with students, parents, and other employees.

Compliance with Laws: School employees shall obey all local, state, and federal laws. Failure to do so may result in termination of employment.

Safety: School employees shall act appropriately to safeguard people and property.

Compliance with School Rules: School employees shall comply with all School rules as stated in the Parent and Employee Handbooks, and as may be amended from time to time, and at Staff meetings.

#### Parent Relations

Mulberry School is a service provider, and all employees must understand and agree that students and families are our top priority. Employees are expected to be respectful, prompt, and attentive to every parent. If a parent approaches an employee at a time that

is inconvenient, the employee is expected to contact the parent in a timely fashion, to ask the parent to sign up for a conference, or to re-direct the parent to the Head of School. When a situation arises that the employee does not feel comfortable with or capable of handling, the employee shall notify the Head of School immediately.

### Confidentiality Requirements

During the course of employment, employees may have access to information deemed confidential or proprietary, relating to Mulberry's operations, suppliers, parents, employees, and students. Members of the Mulberry School community, including employees, parents, and students, have legal rights to privacy related to information possessed by the School. Such information includes, but is not limited to, personnel files, donor lists, student enrollment and student lists, pupil records, student discipline, employee and student medical records, planning and acquisition information, budgets, and any other financial, personnel, and student information. It is the responsibility of every employee not to disclose such information to any non-employee of Mulberry School or to anyone who does not have a legitimate professional need to know the information. All such information must be kept confidential by the employee possessing that information. All inquiries regarding such information or questions about the responsibilities outlined in this Section shall be referred to the Head of School.

### SAFE SCHOOL PRACTICES Workplace Safety

Policy: All employees are responsible for their own safety, as well as that of others in the workplace. To help us maintain a safe workplace, everyone must be safety-conscious at all times. Report all work-related injuries or illnesses immediately to the CFOO.

Assembly Bill X2-9: Requires all California public schools to prohibit the use of tobacco and nicotine products at any time on county office of education (COE), charter school, or school district-owned or leased property, including vehicles. The bill further requires all school districts, charter schools, and COEs to prominently display signs at all
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entrances to the school property stating, "Tobacco Use is Prohibited."

A tobacco-free school prohibits all tobacco use anytime, anywhere, by anyone on all school property, and at all school-sponsored events (California Health and Safety Code Section 104420 [n][2]). School property includes buildings, grounds, and vehicles owned or leased by the school. School-sponsored events include sporting events, school dances, and other events held on and off school property.

The goal of the California Department of Education's tobacco-free school district policy is to protect our children's health. There is no smoking allowed on school grounds, within 1,000 feet of the school, or in line of sight of the students.

Reporting Accidents / Injuries: Any significant incident involving a major accident or serious physical injury to a child, parent, or employee must be reported in writing immediately to the CFOO, including a description of the incident and actions taken and placed on file in accordance with the Department of Social Services Title XXII. For minor injuries, the School maintains a first aid kit in the office. The appropriate employee, according to the Emergency Action Plan, should call the police, fire department, or ambulance for assistance. Only the Head of School is authorized to speak on behalf of the School regarding any accidents. Employees should refer questions about any accident to the Head of School. Each teacher is responsible for keeping student emergency information and the emergency backpacks accessible in the classroom.

### School Property

Use of School Property: Lockers, desks, computers, vehicles, and other School-owned items are Mulberry School property and must be maintained according to School rules and regulations. Mulberry School reserves the right to inspect all School property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence.

### Electronic Media

Use of Electronic Media: Mulberry School uses various forms of electronic communication, including but not limited to computers, e-mail, telephones, Internet, cell phones, and PDAs. All electronic communications, including Mulberry School voice mail and/or electronic mail (e-mail) and all software, databases, hardware, and digital files, remain the sole property of the School and are to be used only for School business and not for any personal use. Employees may not install personal software on School computer systems.

Electronic communication and media may not be used in any manner that would be discriminatory, harassing, or obscene, or for any other purpose that is illegal, against School policy, or not in the best interest of the School. Employees who misuse electronic communications or engage in defamation, copyright or trademark

infringement, misappropriation of trade secrets, discrimination, harassment, or related actions may be subject to discipline and/or immediate termination.

All electronic information created by any employee using any means of electronic communication is the property of the School and remains the property of the School. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the School's ownership of the electronic information. Mulberry School will override all personal passwords if necessary for any reason.

Mulberry School reserves the right to access and review electronic files, messages, mail, and other digital archives, and to monitor the use of electronic communications as necessary to ensure that no misuse or violation of School policy or any law occurs. This may take place without notice to the employee and at any time, not necessarily in the employee's presence.

Employees who use devices on which information may be received and/or stored, including but not limited to cell phones, cordless phones, portable computers, fax machines, and voice mail communications, are required to use these methods in strict

compliance with the trade secrets and confidential communication policy established by the School.

Access to the Internet, websites, and other types of School-paid computer access are to be used for School-related business only. Any information about the School, its products or services, or other types of information that will appear in the electronic media about the School must be approved in writing by the Head of School before the information is placed on an electronic information resource that is accessible to others.

Questions about access to electronic communications or issues relating to security should be addressed to the Head of School.

A. Policy:

## APPENDIX A

### REASONABLE ACCOMMODATION POLICY

Mulberry School provides employment-related reasonable accommodations to qualified individuals with disabilities within the meaning of the California Fair Employment and Housing Act and the Americans with Disabilities Act.

B. Procedure:

1. Request for Accommodation. An individual who desires a reasonable accommodation in order to perform essential job functions should make a request in writing to the Head of School. The request must identify the job-related functions at issue and the desired accommodation(s).
2. Reasonable Documentation of Disability. Following receipt of the request, the Head of School may require additional information, such as reasonable documentation of the existence of a disability.

3. Fitness for Duty Examination. The School may require an employee to undergo a fitness for duty examination to determine whether the employee can perform the essential functions of the job with or without reasonable accommodation. The School may also require that a School-approved physician conduct the examination.

4. Interactive Process Discussion. After receipt of reasonable documentation of disability and/or fitness for duty report, the School will arrange for a discussion, in person or via telephone conference call, with the employee. The purpose of the discussion is to work in good faith to fully discuss all feasible potential reasonable accommodations.

5. Case-by-Case Determination. The School determines, in its sole discretion, whether reasonable accommodation(s) can be made, and the type of accommodation(s) to provide. The School will not provide accommodation(s) that would pose an undue hardship to School finances or operations, or that would endanger the health or safety of the employee or others. The School will inform the employee of its decision as to reasonable accommodation(s) in writing.

## APPENDIX B HARASSMENT POLICY

### A. Policy:

Mulberry School is committed to providing a work environment free of unlawful harassment. The School's policy prohibits harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, registered domestic partner status, age, sexual orientation, or any other basis protected by federal, state or local law or ordinance or regulation. All such harassment is unlawful.

Mulberry School's anti-harassment policy applies to all persons involved in the operation of the School and prohibits unlawful harassment by any employee of the School, including administrators, as well as vendors, independent contractors, parents,

students, or any other persons. It also prohibits unlawful harassment based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

B. Prohibited unlawful harassment includes, but is not limited to the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs, or unwanted sexual advances, invitations, or comments;
- Visual displays such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, or gestures;
- Physical conduct, including assault, unwanted touching, or intentionally blocking normal movement or interfering with work because of sex, race, or any other protected basis;
- Threats or demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment in return for sexual favors; and
- Retaliation for reporting or threatening to report harassment.

C. Process:

If you believe you have been unlawfully harassed, you should take the following steps:

1. Immediately report the harassment to the Head of School or directly to the Chair of the School Board if the offender is the Head of School, as soon as possible after the incident. You will be asked to provide details of the incident or incidents, names of individuals involved, and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory.

2. The School will immediately undertake an effective, thorough, and objective investigation of the harassment allegations. In most cases, the Head of School, the Assistant Head of School, or the CFOO will investigate the allegation. If the School determines that unlawful harassment has occurred, effective remedial action will be

taken in accordance with the circumstances involved. Any employee determined by the School to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination. A School representative will advise all parties concerned of the results of the investigation. Mulberry School will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by others as a result of your complaint.

3. Mulberry School encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may also pursue remedies with the appropriate agency through the following contact information:

Department of Fair Employment and Housing San Jose District Office  
2570 North First Street, Suite 480  
San Jose, California 95131  
(408) 325-0344

Equal Employment Opportunity Commission San Francisco District Office  
350 The Embarcadero, Suite 500  
San Francisco, California 94105 (800) 669-4000

## APPENDIX C

### MANDATED REPORTING OF CHILD ABUSE AND NEGLECT POLICY

The School has certain specific legal responsibilities regarding potential child abuse or neglect.

California's Child Abuse and Neglect Reporting Act (California Penal Code §§ 11164-11174.3) requires certain professional and lay persons, who have a special working

relationship or contact with children, to report suspected abuse and neglect to the proper authorities.

The law requires that any person who enters into employment in a position that is considered to be a mandated reporter, prior to commencing employment and as a prerequisite to that employment, shall sign an acknowledgment of that they understand and will comply with their obligations under the Child Abuse and Neglect Reporting Act.

A "mandated reporter" is defined to include at least the following positions:

- A teacher
- An instructional aide
- A teacher's aide or teacher's assistant employed by any public or private school
- An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of any public or private school

A mandated reporter must make a report whenever he or she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make an initial report to Child Protective Services immediately or as soon as is practicably possible by telephone, and the mandated reporter shall prepare and send, fax, or electronically transmit a written follow-up report within 36 hours of receiving the information concerning the incident. For the purposes of this law, "reasonable suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect.

The mandated reporter will be required to provide the child's name, address, present location, grade, and class; the names, addresses, and telephone numbers of the child's parents or guardians; and the name, address, telephone number, and other relevant personal information about the person or persons who might have abused or neglected

the child. The mandated reporter is required to make a report even if some of this information is not known or is uncertain to him or her. Within 36 hours of making the telephone report, a written report must also be filed by the mandated reporter with the child protective agency. You can be prosecuted for not reporting suspected child abuse and neglect by telephone as soon as practicably possible, and in writing within 36 hours.

The School realizes reporting child abuse can be a stressful and difficult process and recommends that the employee consult with the Head of School to seek help regarding this procedure. The Head of School will assist the employee and provide support for dealing with issues that might arise. If it is agreed that an authorized School administrator will file the report, only one report needs to be filed; however, if the authorized School administrator does not complete the report or instructs the employee not to report, the employee is still bound under the law to report the suspected child abuse. It is not required that an employee making a report disclose his/her name to the School administration. The School takes all reports of child abuse or neglect very seriously and will work to the extent possible under the law to satisfy its reporting duties of any allegations of child abuse or neglect that may arise