

# Marin County Office of Education

## Employee Frequently Asked Questions



**August 19, 2013 Back to School Day**

### Topics

Mandated Reporting  
Other Mandated Topics  
Common Sense Conduct  
Anti-Bullying, Sexual and Gender-Based Harassment  
School Safety and Emergency Preparedness  
Sidewalk CPR  
Program Updates

This document provides an overview of responses to questions that emerged over the course of the August 19, 2013 Back to School Day, in follow up surveys, and/or in staff meetings since then. The responses provide all employees a clear understanding of our organizational approach to important questions and concerns that may come up in the course performing our work – in doing all that we can to support high quality education for all students in Marin County.

**Mary Jane Burke**  
**Marin County Superintendent of Schools**

# Mandated Reporting

**Question:** If I suspect neglect or abuse, do I need to tell my supervisor prior to reporting?

**Answer:** Reporting is the legal obligation of each individual Mandated Reporter and may not be delegated. However, internal procedures regarding who makes the report can be established to facilitate reporting and apprise supervisors of the report, as long as the procedure is consistent with, and adheres to the mandates of the law. Internal procedures may be helpful in facilitating reporting when more than one Mandated Reporter observes the same child. For example, when a teacher, a speech therapist, and paraeducator collectively decide that a report should be made.

The internal procedure may:

- Stipulate that the person with the most first-hand knowledge make the report;
- Require that all reporting parties jointly sign the report;
- Require as appropriate that each reporting party make an individual report; and
- Require the other Mandated Reporter(s) to follow-up and report when the designated person fails to make a report.

The internal procedure may not:

- Stipulate that an administrator or supervisor review or approve the report before the Mandated Reporter may submit it to Child Protective Service (CPS) or Law Enforcement; or
- Sanction a Mandated Reporter in any way for filing a Suspected Child Abuse and/or Neglect Report without the knowledge or authorization of an administrator, supervisor, or employer.

Please check with your Program Manager/Administrator/Supervisor regarding your department's internal procedure related to Mandated Reporting.

**Question:** What are my responsibilities when I am "off duty" in terms of reporting neglect/abuse?

**Answer:** You are only mandated to report suspected abuse and/or neglect when you are acting in your professional capacity; however, if the information came to you because of your job, resolve any discrepancy in favor of reporting. Anyone can make a report of suspected abuse or neglect regardless of their status as a Mandated Reporter and will be afforded the same legal protections related to confidentiality under the law.

**Question:** A report must be filed by phone immediately or as soon as "practically" possible. What is the definition of "practically possible"?

**Answer:** Although the law does not explicitly define the term "practically possible" it is reasonable to conclude that practically possible means as soon as the mandated reporter in question has the ability to

gain access to a phone to make the report. A good rule of thumb for a mandated reporter is to never “let the sun set” on a suspected child abuse and/or neglect report.

**Question: What constitutes reasonable suspicion? What evidence do I need to have?**

*Answer: Reasonable suspicion occurs when it is objectively reasonable for a person to entertain such 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 (P.C. 11166(a)(1)). Simply put, a mandated reporter shall report when in his or her professional capacity, or within the scope of his or her employment, possesses knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of abuse and/or neglect. Reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of abuse and/or neglect; any reasonable suspicion is sufficient.*

**Question: If I reasonably suspect neglect/abuse do I need to investigate the allegation myself and/or gather additional data?**

*Answer: No. A Mandated Reporter is only required to make a report of suspected abuse and/or neglect within the established timelines (immediately or as soon as practically possible). The Mandated Reporter is only required to share the information that led to the reasonable suspicion that the individual may be the victim of abuse or neglect. The obligation to conduct an investigation and gather the necessary data to determine if the individual has been a victim of abuse and/or neglect rests with the receiving agency.*

**Question: Will the family know that I made the report?**

*Answer: A Mandated Reporter is required to give his/her name when reporting suspected child abuse and/or neglect; however, the identity of a Mandated Reporter who reports child abuse and/or neglect shall be confidential (CPC 11167[a,d1,f]). The identity of the reporting party shall remain confidential and be disclosed only in the following ways:*

- Among agencies receiving or investigating mandated reports;
- To the prosecutor in a criminal prosecution or in an action initiated under § 602 of the Welfare and Institutions Code arising from alleged child abuse;
- To counsel appointed pursuant to § 317(c) of the Welfare and Institutions Code;
- To the county counsel or prosecutor in a proceeding under Part 4 (commencing with Section 7800) of Division 12 of the Family Code or § 300 of the Welfare and Institutions Code;
- To a licensing agency when abuse or neglect in out-of-home care is reasonably suspected;
- When the reporter waives confidentiality; and/or
- By court order.

**Question: Can the numbers for reporting suspected abuse and neglect for minors and dependent adults be clearly posted on internal MCOE phone directories?**

*Answer: Yes. Please speak with your program administrator or site administrators to determine the most appropriate location to post this and other important emergency numbers. Page 2 of the Emergency*

*Response Quick Reference Guide, which should be in each classroom and office, has a slot for “other numbers” which may also be used for this purpose.*

## Other Mandated Topics

### Universal Precautions

**Question: We have received information that we don’t need universal precautions for toileting and other bodily fluids. Are you saying we do? Do I need to wear masks and gloves when feeding? What if it makes my student feel like something is wrong with them?**

*Answer: The CDC only advises universal precautions be used with exposure to blood, semen, or vaginal fluids unless there is the presence of blood; but we want our staff to be safe from any potential transmission of disease or illness. We encourage framing a communication with students to put universal precautions in the safety for all. If you have further questions or feel you need assistance in framing that communication, contact your supervisor.*

**Question: If we don’t have the appropriate protections for universal precautions (gloves, masks, aprons, etc.), who should we talk to?**

*Answer: Talk to your program manager or MCOE School Nurse to request additional supplies.*

### Drug Free Workplace (BP4180)

**Question: The Drug Free policy bans the use of controlled substances. Does this mean I cannot be at work if I have a prescription for a controlled substance (e.g. painkillers)? What about marijuana?**

*Answer: This is a good question and is currently under legal review. Under no circumstances is any employee permitted to work if use of prescribed medication impairs their ability to safely and effectively perform their work duties, as advised by a physician.*

**Question: Do I have to notify MCOE if I am convicted on a criminal drug charge?**

*Answer: Yes- you must notify the Superintendent no later than five (5) days after a criminal drug conviction.*

### Tobacco Free Schools/Sites (BP2210)

**Question: Where can I smoke? Can I smoke anywhere on MCOE property?**

*Answer: Smoking is not allowed on campus/ school property, even if you are in your own personal vehicle. If you have any questions specific to your site, contact your supervisor.*

**Question: There’s a trash can on MCOE property that’s full of cigarettes. Is that considered part of the “designated area” or is that school property?**

**Answer:** *The trash cans and cigarette receptacles on the perimeter of MCOE property are provided as a courtesy to help those in and around MCOE maintain a clean and tidy environment, to be good neighbors, and to dispose of trash after using tobacco off site.*

### **Dress Code**

**Question: Does MCOE have an official dress code?**

**Answer:** No. However all employees represent MCOE and as such, one's dress should be appropriate and professional for the situation.

**Question: Can I wear shorts to class? What if it's a situation where we're going on a field trip?**

**Answer:** *The appropriateness of your dress will depend on the situation and your environment. Using shorts may be appropriate for such situations as going on a field trip.*

**Question: Can I wear flip flops?**

**Answer:** *Flip flops would not be considered professional in any work environment, are not safe in most environments and therefore would not be allowed. Any dress code questions should be directed to your supervisor or the Personnel Office.*

### **Workers Compensation**

**Question: What do I do if I'm injured on the job?**

**Answer:** *In case of an extreme or life-threatening emergency, call 911. For all other injuries, call Injury Care Direct at 1-877-247-7710 and notify your supervisor immediately.*

**Question: Should I call Injury Care Direct even if it seems to be a small or innocuous incident?**

**Answer:** *Yes- any injuries should be reported. The Care nurses will identify if first aid or a referral to a doctor is needed.*

**Question: What if I pre-designated a doctor (with the pre-designation form in your personnel file) for a Workers Compensation injury- can I go directly to them?**

**Answer:** *You will need to call Injury Care Direct and identify that you have pre-designated a doctor. The nurse will identify if a referral to your pre-designated doctor is necessary.*

**Question: What happens if the doctor places me off work? Or if the doctor identifies that I have restrictions?**

**Answer:** *Forward all doctor notes to Personnel (fax 415.491.6625) and your supervisor as soon as possible. If your doctor returns you to work with restrictions, we will schedule an Interactive meeting to review the note and possible accommodations. If MCOE is not able to accommodate, you will be placed*

on “Workers Comp” leave. If your doctor places you off work, you will be placed on “Workers Comp” leave.

**Question: How will I be paid if I am placed on Workers Compensation leave?**

**Answer:** Workers Compensation law is designed to provide coverage for employees. If you are injured on the job and placed on leave, contact Personnel to discuss the specifics of your case.

**Question: If my doctor returns me to work after being off, what do I need to do?**

**Answer:** Forward all doctor notes to Personnel (fax 415.491.6625) and your supervisor as soon as possible. If your doctor returns you to work with restrictions, we will schedule an Interactive meeting to review the note and possible accommodations.

### **Uniform Complaints (BP1501)**

**Question: The Uniform Complaint procedure is to be used when addressing complaints alleging failure to comply with federal and/or state laws governing education programs. Who would complaints be reported to?**

**Answer:** All complaints should be reported to the Deputy Superintendent (415.499.5866).

**Question: What is the process for a complaint?**

**Answer:** The process for a complaint is outlined in Board Policy 1501, and includes:

1. *Filing of Complaint: A complaint filed in writing indicating the alleged noncompliance.*
2. *Mediation: Within three (3) days of receiving the complaint, a compliance officer may informally discuss the use of mediation. If mediation does not resolve the issue, the compliance officer will proceed with an investigation.*
3. *Investigation: Investigative meetings should be scheduled within five (5) days of receiving the complaint.*
4. *Response: A written report shall be sent to the complainant within 60 days of the district’s receipt of the complaint.*
5. *Final Written Decision: The district’s decision will be in writing and will include the findings of fact based on evidence, conclusion of law, disposition of complaint, rationale for disposition, corrective actions, complainant’s right to appeal, notice of right to appeal.*

### **Equal Opportunity and Non-Discrimination (BP4112)**

**Question: Who do I report to if I feel that I have been discriminated against?**

**Answer:** Any employee who believes that he/she has been or is being discriminated against or harassed in violation of board policy 4112 should immediately contact his/her supervisor, the Coordinator (Deputy Superintendent) or the County Superintendent.

**Question: What is the process once the complaint is filed?**

**Answer:** The process for a complaint is outlined in the Administrative Rules and Regulations for Board Policy 4112 and include:

1. *Informal procedures: the complainants should discuss the issue with the responsible party, if comfortable.*
2. *Level 1: The complaint shall be submitted in writing, investigated by the immediate supervisor within ten (10) working days, decision documented and provided to the complainant within fifteen (15) working days.*
3. *Level 2: The complainant can appeal the decision within ten (10) working days after receipt of the decision of the immediate supervisor; to be investigated by the Assistant / Deputy Superintendent within ten (10) working days, decision documented and provided to the complainant within fifteen (15) working days after receipt of the appeal.*
4. *Level 3: The complainant can appeal the decision to the Superintendent/ Governing Board within ten (10) working days after receipt of the decision of the Assistant/ Deputy Superintendent; a closed session hearing shall be scheduled within ten (10) working days after receipt of appeal, final decision documented in writing within twenty (20) working days after the hearing.*

# Common Sense Conduct

**Question:** Where do I find the Employee Handbook?

**Answer:** There are handbooks for each employee group. These handbooks can be found on the MCOE web site, under Personnel, on the MCOE Employee Resources page.

**Question:** Where can I find more information about board policies such as the MCOE Educational Internet Account / Acceptable Use Agreement?

**Answer:** The employee policies and many other resources can be found on the MCOE website under Personnel, on the MCOE Employee Resources page.

The image shows a screenshot of the MCOE Employee Resources page. On the left is a 'Personnel' sidebar menu. The main content area is titled 'MCOE Employee Resources' and contains a table with three columns: 'Salary Schedules and Benefits Matrices', 'Employee Information/Resources', and 'Forms'. A blue box labeled 'Employee Handbooks' has a line pointing to the 'Employee Handbooks' link in the 'Employee Information/Resources' column. Another blue box labeled 'Acceptable Use Agreement' has a line pointing to the 'Acceptable Use Agreement' link in the 'Forms' column.

Marin COE > Personnel > MCOE Employee Resources

## MCOE Employee Resources

Salary Schedules and Benefits Matrices	Employee Information/Resources	Forms
<b>Salary Schedule</b> <ul style="list-style-type: none"><li>2013-14 Admin Salary Schedule</li><li>2013-14 Categorical Adm Support Salary Schedule</li><li>2013-14 Classified Management Salary Schedule</li><li>2013-2014 WCR Management Salary Schedule</li><li>2013-14 CSEA Salary Schedule</li><li>2013-14 CSEA WCR Salary Schedule</li><li>2013-14 MCEA Salary Schedule</li></ul>	<b>Collective Bargaining Agreement</b> <ul style="list-style-type: none"><li>CSEA Contract</li><li>MCEA Contract</li><li>Walker Creek Contract</li><li>Oracle Independent Study Teachers Agreement</li></ul> <b>Employee Handbooks</b> <ul style="list-style-type: none"><li>Administrative/Support/Classified Management/Confidential Staff</li><li>Certificated Staff</li><li>Classified Staff</li><li>Walker Creek Classified Staff</li><li>Personnel Commission Handbook</li></ul> <b>Job Descriptions</b> <ul style="list-style-type: none"><li>Classified</li><li>Certificated</li></ul> <b>Paraeducator NCLB Tutorial</b>	<b>Employee Emergency Form</b> <b>Mandated Topics</b> <ul style="list-style-type: none"><li>Mandated Topics Video</li><li>Mandated Topics Sign Off</li><li>Mandated Topics Related Documents</li></ul> <b>Injury and Illness Prevention (IIPP)</b> <ul style="list-style-type: none"><li>MCOE IIPP ENTIRE 8 2013</li><li>IIPP Sign Off Form</li></ul> <b>Professional Development</b> <ul style="list-style-type: none"><li>Form</li><li>Instructions</li><li>Guidelines</li></ul> <b>Technology &amp; Internet Use</b> <ul style="list-style-type: none"><li>Acceptable Use Agreement</li></ul>
<b>Benefits Information and Matrices</b> <ul style="list-style-type: none"><li>2013-14 Benefits Comparisons Charts</li><li>2013-14 Health Matrix Admin Support</li><li>2013-14 Health Matrix Board</li><li>2013-14 Health Matrix CSEA</li><li>2013-14 Health Matrix WCR</li><li>2013-14 Health Matrix Classified Mgmt</li><li>2013-14 Health Matrix MCEA</li></ul>	<b>Automated Subfinder System</b> <ul style="list-style-type: none"><li>Subfinder Employee Online Tutorial</li><li>Employee Subfinder Guide</li><li>Employee Subfinder FAQ</li></ul>	

**Personnel**

- MCOE Employee Resources
  - Libraries
- Credentials
- Job Hotline
- Fingerprinting
- Substitutes
- Employee Wellness Committee
- County-Wide Personnel Group



# Anti-Bullying, Sexual and Gender-Based Harassment

**Question:** When does an employee report to a supervisor regarding observation of a student being bullied or harassed versus reporting to CPS?

**Answer:** *If the situation involves bullying or harassment of a student, then the employee would be expected to report the facts of the incident to their supervisor as clearly defined in Marin County Board of Education Policy 5203 (Hate-Motivated Behavior and Bullying Prevention) and/or 5205 (Sexual and Gender-Based Harassment). If your supervisor is involved in the situation, then report to his or her supervisor.*

**Question:** Is it still sexual harassment if it is a Special Day Class student with an Intellectual Disability behaving in that way toward a classmate?

**Answer:** *Yes. The definitions apply to everyone. Additionally, the parents of the classmate are likely to recognize it as sexual harassment, and we should, too. Of course, we should teach and reinforce more appropriate behaviors for interacting. We need to follow procedures to intervene, document and report.*

**Question:** What should we do when it is a “grey area?”

- 1) For example, what do we do when we observe some bullying or harassment from students who are not in our charge?
- 2) And, what do we do if harassment or bullying happens when we are off duty in a social setting?

**Answer:** *Grey areas may need to be addressed individually as they are situation specific.*

- 1) *However, in the case of observing unfamiliar students bullying or harassing others, it is your responsibility to address the situation and intervene appropriately; do not be a bystander.*

*In the case of harassment or bullying happening when off duty and in a social setting, if the conduct results in negatively affecting work performance or creating an intimidating, hostile or offensive work environment, then it should be reported to one’s supervisor.*

# School Safety and Emergency Preparedness

**Question: What about procedures/protocols for itinerant staff?**

*Answer: These procedures will need to be developed as a team with your supervisor since each circumstance is different.*

**Question: Will MCOE classrooms on district campuses get emergency supplies?**

*Answer: Yes, each classroom will receive a "lockdown kit" and other specialized supplies as needed.*

**Question: How will people who work offsite be contacted when an emergency occurs?**

*Answer: Supervisors will contact them.*

## Sidewalk CPR

**Question: Does the training we were given give me certification?**

*Answer: No. Although the training qualified for a layperson's CPR certification, which we had the option of obtaining for an additional cost, the intent of the training was not to have all staff certified, but rather to raise the level of awareness, training and education of staff. If your particular position requires you to obtain certification, please speak with your supervisor.*

# Program Updates

## Walker Creek Ranch

**Question:** How much does it cost for outside groups to hold a conference at Walker Creek Ranch?

**Answer:** Conference rates – see the Conference Rate sheet on the Walker Creek Ranch website  
<http://www.walkercreekranch.org/newpdfs/WCRConf%2013-14Rates.pdf>

**Question:** We went to Walker Creek Ranch six years ago. Can we hold another Back to School at Walker Creek Ranch again?

**Answer:** Maybe. This request will be considered by the 2014-15 Back to School planning committee.

**Question:** How much does it cost to attend Camp Soulajule?

**Answer:** Walker Creek Ranch recently transitioned from Camp Soulajule (an overnight camp) to offer a pilot program, Discovery Day Camp. This transition was due to client feedback regarding the escalating costs of operating the overnight summer program. The Summer 2013 Discovery Day Camp rates are included in the brochure on the Walker Creek Ranch website at this link: –

<http://www.walkercreekranch.org/newpdfs/discoveryday1.pdf>

Staff are currently reviewing plans to best serve the needs of children during the summer, and is experiencing growing demand for use of the site by privately run summer camp programs.

**Question:** Marin County Office of Education teachers asked how to arrange for their class to visit Walker Creek Ranch for the day or overnight?

**Answer:** Contact your program manager.

## ROP / School to Career / Workability

**Question:** How would a student know these programs exist? Where do they go to get information about the ROP/STC program.

**Answer:** They could go to their school counselor's office, or get information from the Business Education Liaison assigned to their school, or go to the ROP/STC webpages on the MCOE website.

**Question:** Where are the classes located?

**Answer:** Classes are provided at all nine of the high school campuses, along with community sites throughout Marin.

## **Special Education**

**Question: Will there be any more district initiated take backs?**

*Answer: Potentially. The MCOE programs operate on behalf of Districts and over the last few years we have seen an increase in Districts interest in operating Special Education program locally.*

**Question: Do districts ever ask MCOE to operate a program after they have taken back?**

*Answer: Yes, this has occurred in the past.*

**Question: If a substitute comes to my class and no one is absent?**

*Answer: Call your department head to see if the substitute was deployed to the wrong program or location, and/or if they can be redeployed for a minimum day. You may be asked to consider an assignment at your site to provide additional support.*

## **Alternative Education**

**Question: When will the new school site be ready for students?**

*Answer: The school program is currently operating in a leased facility. The construction of the new facility should be completed in the spring of 2014.*

**Question: Will the Oracle program move when County Community School moves? Where will it go?**

*Answer: Yes, Oracle will have a designated space to serve students in the new facility.*

**Question: Will CCS students be doing internships in the main office? How will they be selected and assigned?**

*Answer: Yes, student interns will be hosted at the MCOE Central Office. Staff is preparing the plan for intern hosts and requirements for students to participate. More information will be shared in the coming months.*