

PALOMAR COLLEGE

**CHILD DEVELOPMENT CENTER
EMPLOYEE HANDBOOK**

FOR

***CHILD DEVELOPMENT
CERTIFICATED EMPLOYEES
ONLY***

Approved by the Governing Board
June 8, 1999

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I. INTRODUCTION

A. How Policies are Made and Changed

1. The administration shall seek input from the Child Development Center staff prior to any additions and/or changes to this Handbook.
2. Governing Board Approval
 - a. The Center will seek Governing Board Approval for any changes made to the employee Handbook, job descriptions, and salary matrix.
 - b. Any changes made to the employee Handbook, job descriptions or salary matrix will be reviewed one year after the date of Governing Board approval for the specified change.

B. Statement of Employment

Due to the fact that the Center operates under funding from the California Department of Education and parent fees, an employee may be laid off.

II. ORGANIZATIONAL STRUCTURE

Attachment Appendix A.

III. NON-DISCRIMINATION STATEMENT AND EQUAL OPPORTUNITY POLICY

It is the policy of the Palomar Community College District to comply with all federal and state laws regarding equal employment opportunities and to offer equal employment opportunity for all vacant District positions.

IV. EMPLOYMENT STATUS

A. Regular Full-Time Employee

The Center may employ Regular Full-Time Employees. Regular full-time employees are hired under provisions set forth in Section 8366 of the California Education Code. Each person employed by the Palomar College Child Development Center shall be deemed to be employed in a position requiring certification qualifications. EC 8366.

An employee may be laid off at any time during the year for lack of work or lack of funds or may provide for employment for not to exceed 90 days in any one school year on an intermittent basis which shall not be deemed probationary service. The order of layoff shall be determined by length of service. The employee who has served the shortest time shall be laid off first, except that no permanent employee shall be laid off ahead of a probationary employee. A permanent employee who has been laid off shall hold reinstatement rights for a period of 39 months from the date of layoff.

Persons who are employed as probationary employees and who have served in the same position for three complete consecutive school years as defined in Section 44908, may be dismissed in accordance with the provisions of Section 44949 or 87740.

B. Hourly Employee (NOHE)

The Center may employ hourly employees who work no more than 60% time in accordance with District policies and procedures. No benefits are granted.

C. Student Worker

The Center may employ Student Workers in accordance with the District policies and procedures. No benefits are granted.

D. Work-Study Employee

The Center may employ Work-Study employees in accordance with District policy. Work-Study employees are not guaranteed a specific number of hours or days per week, only on an as-needed basis. No benefits are granted.

E. Substitute Employee

The Center may employ individuals who are hired for a limited or specific period of time to fill in for an employee. These employees are not eligible for benefits as outlined above.

F. Workweek

A week shall be defined as a seven-day period from 12:01 a.m. Sunday through Saturday midnight. The workweek for any Center employee shall consist of forty (40) hours per week within any week. Overtime will only be available for any non-exempt employee who works more than forty (40) hours during one workweek.

G. New Employee Probationary Period

Probationary employees are those employees who have regular contracts for regular positions that have not yet been granted permanent status by the District. The probationary period is set forth in Section 8366 of the California Education Code.

V. **BENEFITS**

Regular full-time employees shall be eligible for a Group Health Plan and a choice of one of the five following benefits: Group Dental, Group Vision, Child Care, Wellness Center, or Classes in Child Development. Changes in Benefit options can only be made once a year during the open enrollment period as per District timelines.

A. Group Health Benefits

The Center will pay the full premium for the lowest group health benefits that are offered through the District. If the employee chooses, he/she may pay additional premiums for an alternate health plan offered through the District. Arrangements for this benefit must be made through the District.

Choice of One of the Following Five Benefits:

1. Group Dental Benefits

The Center will pay the full premium for CDN Dental Benefits, which are offered through the District.

2. Group Vision Benefits

The Center will pay the full premium for Vision Benefits, which are offered through the District.

3. Child Care

If the employee has a child who qualifies for services at the Child Development Center, the employee may choose Child Care as a benefit. The child must fall within the age guidelines set forth by the Center. Childcare fees will be reduced at a rate of 10% of the full pay rate. Only one child per employee per year will be able to qualify for this benefit. The child will not be enrolled in the same classroom with the employee.

4. Wellness Center

The Center will pay the full fees for the entire year at the Palomar College Wellness Center.

5. Child Development Classes

The Center will reimburse the employee for a maximum of two Child Development classes per year. The reimbursement will only be made for classes taken through Palomar College. An employee may also be reimbursed for an amount up to \$50 per year for textbook purchases related to the two classes.

Note: Items 2, 3, and 4 above may be taxable under Internal Revenue Service regulations. The District is obligated to report these benefits to the Internal Revenue Service.

B. Additional Benefits

1. Sick Leave

- a. Each regular member of the Child Development Center employed on a twelve (12) month contract is entitled to twelve (12) days per year leave of absence for illness or injury. Personal Necessity Leave is limited to (six) 6 days per year. A member of the Child Development Center staff employed for a full work week, but less than a full fiscal year, is entitled to that portion of twelve (12) days as the number of months she/he is employed bears to twelve (12).

If the employee does not take the full amount of leave allowed in any year under this section, the amount not taken shall be accumulated from year to year with such additional days as the Governing Board may allow. EC 87781, 87765.

- b. Sick leave may be used whenever regular employees are unable to perform their duties because of temporary disability caused by illness, injury, pregnancy, and/or childbirth. Sick leave may also be used for medical, psychological, dental, or optical examinations or treatment.
- c. Sick/personal leave will not accrue during any approved unpaid leave of absence. An absence must be reported by the employee no less than one hour prior to the employees scheduled start time or it will be considered an unexcused absence. Unexcused

absences are unpaid and may be grounds for discipline up to and including termination.

- d. Upon termination, retirement, or resignation from the Center, employees are not entitled to be paid for unused sick/personal leave earned during employment.

2. Vacation Leave

Child Development Center employees who work a regular full-time assignment of forty (40) hours per week shall accrue paid vacation according to the following schedule:

1 year service	5 days per year
2-4 years service	10 days per year
5+ years service	15 days per year

Vacation days are calculated from the employee's initial date of hire as a contract employee. Vacation days earned and not used may be accumulated up to a maximum of twenty (20) days that may be carried over as a reserve from year to year. Upon termination, retirement, or resignation from the Center, employees shall be paid for a maximum of one (1) year's accumulated vacation at their current salary rate. Employees are not entitled to accrue vacation while on leave without pay, during a break in service, or after the last day service is performed.

Vacation leaves must be arranged and approved by the site supervisor and/or Center coordinator at least two (2) weeks prior. No two employees per building may take vacation leave at the same time. Employees will arrange vacation leave on the Center Vacation Calendar, which is on a "first come, first served" basis. Approval of vacation schedules may be rescinded at the discretion of the Center Coordinator.

3. Personal Necessity Leave (Education Code Section 87784)

- a. An employee may use no more than six (6) days of accumulated sick leave per school year in case of personal necessity.
- b. For purposes of this provision, "personal necessity" is defined as: Death or serious illness of a member of the employee's immediate family or household; accident involving the employee or the employee's property, or the person or property of the employee's immediate family or household; appearance in any court or before any administrative tribunal as a litigant, party or witness under subpoena or any order made with jurisdiction; an emergency requiring prompt response, which response cannot reasonably be

made by anyone other than the employee and cannot be made at any time other than during the employee's working hours.

- c. Except in the case of an emergency, advance permission for leave pursuant hereto must be obtained from the Site Supervisor and/or Coordinator or designee who shall determine whether the request for leave qualifies hereunder. If possible, advance notice of taking leave for an emergency shall be given by the employee.

Leaves are not granted to extend a vacation period or provide additional days off immediately proceeding or following a holiday.

4. Jury Duty

An employee shall receive regular earnings while serving on jury duty, and any jury fees will be relinquished to the District.

5. Center Breaks

The Child Development Center will be closed during the two weeks of winter break (closed dates will vary from year to year), and one week during the District's spring break.

C. Breaks

One paid fifteen-minute break is allowed for each four-hour work period. Two daily break periods may not be combined nor missed and then added to the lunch period, unless prior approval from the Site Supervisor and/or Coordinator has been obtained.

An unpaid lunch break of either 30 or 60 minutes must be taken by an employee who works more than six (6) hours per day. The Site Supervisor and/or Coordinator will schedule lunch breaks.

D. State Teachers' Retirement System

All Center Regular Full-Time Employees will participate in the State Teachers' Retirement System. The amount of deductions from the employees' monthly paycheck are regulated by STRS. The Center is required to contribute to each employees retirement account. The District also regulates this deduction.

VI. OTHER LEAVES OF ABSENCE

A. Approved Leave Of Absence/Emergency Leave

Upon the recommendation of the Child Development Department Chair, the Governing Board may grant leaves of absence with or without pay and/or benefits to Center employees for Personal and/or Medical Leave

B. Military Leave

Military leave is granted in accordance with applicable law. An employee's failure to return from any leave of absence will be considered job abandonment and the employee will be terminated effective the last day of paid service.

C. Family Care and Medical Leave

The Center and the Governing Board of Palomar Community College District intend to comply with the federal Family Medical Leave Act of 1993, 29 U.S.C., 2601 et.seq., and the California Family Rights Act of 1991 as amended October 5, 1993, California Government Code Section 12945.2. This policy shall be interpreted so that there will be no violation of either state or federal law.

A Center employee with one (1) year or more of continuous employment may take a family care leave of up to three (3) months in any twelve (12) month period. Such leave may be taken all at once, intermittently, or on a reduced leave schedule. Such leave shall be without pay. An employee will be required to take any accrued vacation or sick leave as part of the three-month family care leave. A family care leave can be any of the following:

1. The birth or placement of a child for adoption or foster care with the employee within one (1) year of such birth or placement;
2. To care for the employee's spouse, child, parent, or member of immediate household with a serious health condition;
3. If an employee has a serious health condition that makes the employee unable to perform his/her job.

Leaves of less than ninety (90) days shall entitle an employee to return to his/her original position, if it is available, or a position of like status and pay for which the employee qualified, as one becomes available (in the case of family care leave, the leave is job guaranteed).

Leaves in excess of ninety (90) days shall entitle an employee to return to a vacant position for which he/she is qualified as such positions become

available, and when returning employee's seniority is greater than that of other employees entitled for the vacant position.

D. Pregnancy Disability Leave (Education Code Section 87766)

In conformity with Section 87766 of the Education Code, the following rules and regulations have been adopted for leave of absence for pregnancy for employees who so desire, under contract for positions requiring certification qualification. Conditions for granting a leave of absence under this policy:

1. The Governing Board shall grant a leave of absence for any regular Child Center employee who is required to be absent from duties because of pregnancy, miscarriage, childbirth and recovery therefrom.
2. The length of the leave of absence, including the date on which the leave shall commence and the date on which the employee shall resume duties, shall be determined by the employee and the employee's physician.
3. An extension of the leave of absence for pregnancy for reason of complications or other factors resulting from pregnancy or delivery may be granted by the Governing Board, but only upon the advice, presented in writing, of a licensed medical practitioner.
4. Nothing in this policy shall be construed to deprive the employee of the right to the use of accumulated sick leave for absences due to illness or injury resulting from pregnancy.
5. The employee's rights shall remain in force during the leave of absence.

VII. HIRING AND TERMINATION POLICIES

A. Hiring Policies

The Palomar College Child Development Center Personnel Committee interviews candidate for the position of Center Coordinator. This Committee is comprised of the Child Development Department Chairperson, two Site Supervisors, and one Center Parent. This Committee makes a recommendation to the Governing Board for this position. Hiring Committees are needed to fill the Center position of Site Supervisor. The Center Coordinator will determine these Hiring Committees. The Center Coordinator and/or Site Supervisor has the authority to interview and select staff for the positions of Master Teacher, Teacher, Associate Teacher, Nutritionist, Assistant, and Aide. The Center Coordinator will recommend to the Department Chair and/or Dean of Human Arts and Sciences of new staff to be hired.

B. Termination Policies and Employee's Code of Conduct

Center certificated employees may be terminated from the Center and the District per Education Code Sections 87732 and 87740.

1. Child Development Center Employee's Code of Conduct
 - a. Each employee is required to perform all listed duties and responsibilities contained in applicable Board policies, the applicable job description and applicable law.
 - b. Each employee shall follow all reasonable directives from the employee's immediate supervisor, the Superintendent/President or designee, and the Board. Each employee is required to follow all such directives unless they necessarily place the employee, another employee or a student in an unsafe or dangerous condition; or they necessarily require the violation of applicable law.
 - c. Each employee shall adhere to relevant working conditions, the employee's assignment, including any rules or regulations regarding discipline, established by a collective bargaining agreement, the Board, the Superintendent/President or designee, or the employee's immediate supervisor.
 - d. Each employee shall adhere to all applicable law, including the law covering the operations of the District, the educational program of the District, the rights of students, the rights of employees, and the rights of parents and the public.
 - e. The District is an equal employment opportunity employer, which complies with all applicable federal and state non-discrimination laws. The District does not tolerate the violation of such laws by any employee. The District also does not tolerate illegal sexual harassment or any other illegal harassment by an employee.
 - f. The District is committed to all applicable laws concerning equal educational opportunity for all the students in the district. The District does not tolerate the violation of such laws by any employee.
 - g. Each employee is prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance in any workplace or facility of the District. Each employee must notify the Superintendent/President in writing within five (5) days of any drug statute conviction for a violation occurring in any workplace or facility of this District. A conviction includes any finding of guilt, including a no contest plea, or imposition of a sentence.

- h. No employee shall be under the influence of alcohol or a controlled substance while the employee is acting within the scope of employment. The use of drugs under and consistent with the directions of a physician which does not unreasonably impair the performance of an employee is not prohibited. An employee may use prescribed drugs while acting within the scope of employment as long as such use is under and consistent with the directions of a physician and such use does not unreasonably impair the performance of the employee.
- i. Each employee shall report any unsafe condition or illegal activity to the employee's immediate supervisor as soon as possible after discovering the unsafe condition or illegal activity. The District does not tolerate the observance of illegal activity without reporting it as soon as possible to a representative of the District.
- j. No employee shall receive or accept any commission, expense-paid trips, or anything of value from individuals or companies selling equipment or materials to the District.
- k. The District requires each employee to adhere to the Child Abuse and Neglect Reporting Act (Penal Code Sections 11164-11174.3). Each employee who has knowledge of or observes a child in the employee's professional capacity or within the scope of employment when the employee knows or reasonably suspects that a child has been the victim of child abuse shall report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone. Additionally, the employee is required to notify the site supervisor and/or the center coordinator each time an incident is reported to the child protective agency. Each employee then shall prepare and send a written report to the child protective agency within 36 hours of receiving the information concerning the incident.
- l. No employee shall inflict, or cause to be inflicted, corporal punishment upon a student. The term "corporal punishment" means the same as it is defined by Education Code Section 49001. Each employee is required to adhere to Education Code Section 49000 and 49001, which prohibit corporal punishment.
- m. No employee shall release confidential information involving another employee or a student to a parent or any other member of the public unless expressly authorized by applicable law, the Superintendent/ President or designee, or the Board. Each employee is required to adhere to all applicable laws protecting the privacy rights of employees and students.

- n. No employee shall smoke at any workplace or facility of the District. The District discourages all employees from smoking, and prohibits smoking wherever an employee is acting within the scope of employment.
- o. Pursuant to Education Code Section 87732, a permanent employee may be dismissed for:
 - 1) Immoral or unprofessional conduct;
 - 2) Commission, aiding, or advocating the commission of acts of criminal syndicalism, as prohibited by law;
 - 3) Dishonesty;
 - 4) Unsatisfactory performance;
 - 5) Evident unfitness for service;
 - 6) Physical or mental condition unfitting them to instruct or associate with children;
 - 7) Persistent violation of or refusal to obey the school laws of California, or reasonable regulations adopted by the State Board of Education, or reasonable regulations or policies adopted by the District;
 - 8) Conviction of a felony or of any crime involving moral turpitude;
 - 9) Violation of statutes prohibiting the advocacy of communism;
 - 10) Violation of any provision in Education Code Sections 7001 to 7007; or
 - 11) Alcoholism or other drug abuse which makes the employee unfit to instruct or associate with children.

C. Resignation

Center employees who plan to resign should do so with as much written notice to the Center as possible (a minimum of thirty (30) days is suggested whenever possible). The Coordinator and/or Child Development Department Chair is authorized by the Governing Board to officially accept the resignation of the Center employee. Payment for service will be made up to and including the last day that service is performed.

D. Layoff

The Child Development Center receives funding through the California Department of Education and parent fees. The Center may lay off employees within its discretion including if either of these funding sources is decreased or enrollment is not at full capacity.

E. Tardiness

It is the Center's expectation that employees will arrive on time. An employee who arrives later than the required time without permission from the Coordinator and/or Site Supervisor will be considered tardy. An employee who expects to be late for work should call the Center to notify the supervisor. Employees will note actual times of arrival at work on their time cards. Regular Full-Time employees will be docked pay for time missed due to tardiness in fifteen (15) minute increments or the missed time must be made up by special arrangements with the Site Supervisor and/or Coordinator.

F. Attendance

The Center has established high attendance standards and expects employees to follow them. Absences are defined in terms of instances rather than days, since an illness may require an employee to be gone for several consecutive days. Attendance standards are an important part of the performance evaluation. When it is necessary for an employee to miss work due to illness, injury, or other unscheduled event, the Site Supervisor and/or Coordinator must be notified no less than one (1) hour prior to the employee scheduled start time. The reason for the absence and an expected date of return are important so arrangements can be made. Failure to call in will result in an unexcused absence. The Site Supervisor may excuse employees from work. The term *excused* does not necessarily mean the absence will be paid; it means the absences have been authorized. All absences will be considered when evaluating attendance.

VIII. EVALUATION PROCEDURE

A. Performance Reviews

Performance evaluations will be completed on all new Regular Full-Time employees in accordance with the following schedule:

1. First evaluation - 6 months from date of hire
2. Second evaluation - 1 year from date of hire
3. Yearly evaluations will be administered thereafter

The Child Development Department Chair, in coordination with the Center staff, will evaluate the Coordinator. The Coordinator will evaluate the Site Supervisors. The Site Supervisor will evaluate the positions of Master Teacher, Teacher, Associate Teacher, and Assistants (who are directly working together). The Site Supervisor will articulate with the Coordinator on all Performance Reviews and Evaluations. The Coordinator has the option of adding additional information to any employee's Performance Review and Evaluation.

All performance evaluations will be documented formally through the Performance Evaluation form.

After completion of the first year of employment, regular full-time employees shall be evaluated on an annual basis in accordance with their date of hire. His/her immediate supervisor will complete all Center employee's performance evaluations.

B. New Employee Probationary Period

New employees will enter a four (4)-year probationary period. The purpose of the probationary period is to provide an orientation to the Center, its policies and procedures, the requirements of the position, the philosophy of the Center, and to evaluate the instructor's performance.

At the time of hire, the new employee will receive a copy of this Handbook. The employee is encouraged to ask questions and seek clarification of position duties and requirements within the first thirty (30) days so the employee has a complete understanding of all policies and expectations.

C. Promotions

When a new position is established or an existing position becomes vacant, current permanent employees will be given first consideration. In order to be eligible for consideration for promotion, an employee must meet all minimum qualifications established for the position and must apply in writing within the time allowed to the Site Supervisor or Center Coordinator. Management retains the right to make all hiring decisions as well as determining if a position vacancy shall be advertised publicly.

IX. SALARY MATRIX

A. Matrix

Attachment Appendix B

B. Placement on the Salary Matrix

All new Regular Full-Time and Part-Time employees will be placed on Step 1 of the Child Development Center Salary Matrix.

C. Time Cards

Exempt Regular Full-Time employees are paid a monthly salary and do not fill out a time card. A Child Development Center Record of Absences is sent from

the Payroll Department with the employee's paycheck. The employee is to fill out this record and turn it in to their immediate supervisor (Site Supervisors sign records for Master Teachers, Teachers, Associate Teachers, and Assistants, and the Coordinator signs the records for the Site Supervisors) for signature by the first day of the month. The Child Development Department Chair signs the Center Coordinator's Record of Absence if there are any absences to report.

Hourly employees will fill out a time card for the exact hours worked each day. Falsification of time cards may result in discipline up to and including termination.

D. Pay Days

Exempt Regular Full-Time employees' paychecks are distributed once a month on the last day of the month. Non-Exempt and hourly employees' paychecks are distributed on the last day of the month. Student Workers, Work-Study, and Short-Term Hourly employees' paychecks are distributed on the 10th of the month. If any of the above days fall on a weekend, the employee is paid the Friday before as per District policy.

X. CONFIDENTIALITY POLICY

All records concerning employees, children and families or the management of the Center are considered confidential. Any personal information given to an employee by a parent, child or other employee shall remain confidential. Discussion of any confidential information will be made only with the Coordinator and/or Child Development Department Chair, or the appropriate employee.

The employee will have access to his/her official personnel file upon submitting a request in writing to the Coordinator. Employees may have a copy of any material in the official personnel file by requesting the receipt of files in writing. Information such as address, phone number, marital status, dependents, or name changes are important for benefits eligibility and other matters and should be given to the Coordinator immediately to update the employee's file.

XI. GRIEVANCE PROCEDURES

A member of the Child Development Center who feels he/she has been treated unfairly, or has been adversely affected by a violation, misinterpretation, or misapplication of a specific Center policy may file a formal written complaint or allegation. This procedure may not be used to challenge or change a policy, regulation or established procedure of the Center, but to resolve an identified complaint regarding a specific violation.

In every case, before filing a formal, written grievance, the grievant will attempt to resolve the grievance by an informal conference with the Coordinator and/or Child Development Department Chair.

If the grievance is not resolved through informal resolution, the grievant should proceed in accordance with the following: (In every case a grievance must be filed within thirty (30) calendar days after the occurrence or the act giving rise to the grievance.)

Level I

The grievant may submit within ten (10) working days in writing the grievance to the Coordinator. The Coordinator will have ten (10) working days to respond either verbally and/or in writing to the grievant.

Level II

If the grievant is still unsatisfied with the Coordinator's decision, the employee may submit within ten (10) working days in writing the grievance to the Child Development Department Chair. The Chair will have ten (10) working days to respond either verbally and/or in writing to the grievant.

Level III

If the grievant is still unsatisfied with the Child Development Department Chair's decision, the employee may submit within ten (10) working days in writing the grievance to the Dean of Human Arts and Sciences. The Dean will have ten (10) working days to respond either verbally and/or in writing to the grievant. The decision of the Dean is final.

All conferences and meetings dealing with the resolution of the grievance will be confidential and private. All employees involved in the grievance have the right and obligation to maintain confidentiality regarding the grievance and the employees involved.

Employees who file grievances in bad faith, frivolously, or as retaliation will be subject to disciplinary action. The burden of proof rests upon the employee who files the grievance.

Failure to follow the above procedure will result in forfeiting the right to pursue the grievance.

XII. PROFESSIONAL DEVELOPMENT

All Regular Full-Time Center employees are required to participate in Professional Development activities. A minimum of five (5) days per fiscal year is required. These

five (5) days consist of two (2) Center Professional Development Days [one (1) per semester] arranged with the Coordinator, and three (3) days to be arranged with the Center Coordinator (employee's choice). Professional Development Days are provided for during the normal work year calendar. No more than two (2) employees may be absent from the Center at any one time due to Professional Development activities. Exempt and non-exempt employees do not receive pay for Professional Development on non-working days. These days will be arranged, documented, and negotiated with the Coordinator in advance. A stipend of \$50 per year is allowed for conference fees and/or travel to a conference related to the field of Child Development.

XIII. MISCELLANEOUS INFORMATION

A. Dress Code

The State Department of Education guidelines require the employment of professional employees. The way an employee dresses reflects on the way parents and the community perceive the Center. Jogging shorts, short shorts, tube or halter-tops, midriff or low cut tops or dresses are not appropriate at work. The employee must wear clothing that is appropriate to sit on the floor and get dirty with the children. Violation of standard acceptable attire will be grounds for placement in the employee's Performance Review.

B. Employee Conduct

Each employee will serve the children, parents, the Center, and each other with efficiency, impartiality, courtesy, confidentiality, and respect. Employees should be sensitive to conduct that may be considered offensive to others and avoid such actions. Abusing the dignity of anyone through sexist or racial slurs, derogatory commentary concerning race, economic level or the like will be grounds for immediate action on the part of the Center. Unwelcome, unwanted, or offensive physical or verbal advances, intimidation, or remarks will not be tolerated.

C. Smoking

Smoking is not permitted in Center buildings or on Center grounds.

D. Abuse of Drugs, Alcohol, and Controlled Substances

The use or sale of alcohol, illegal use or sale of drugs or controlled substances during working hours is prohibited. Any violation of the above mentioned substances will cause immediate termination.

E. Treatment of the Children

Corporal punishment, physical, verbal, sexual, or mental abuse of any child in the care of the Center will not be tolerated. Any offender will be immediately terminated and the appropriate civil authorities will be notified for possible prosecution.

F. Harassment

The Center is adamantly opposed to any and all harassment especially of sexual nature, of one employee by another employee, supervisor, outside vendor, or parent. Such harassment, either against the individual or by creating a hostile work environment, shall not be tolerated or may result in immediate termination of anyone responsible. Requests for sexual favors, advances, or comments are unacceptable as they create an offensive work environment. Should an employee be a victim of or witness such activity at the workplace, he/she should immediately notify the Coordinator and Department Chair. An investigation and subsequent actions, confidentiality, privacy, and elimination of the problem will be completed.

XIV. ACKNOWLEDGMENT AND RECEIPT OF HANDBOOK

This will acknowledge that I have received a copy of the Palomar College Child Development Center Employee Handbook. I acknowledge that it is my responsibility to read this Handbook thoroughly and ask for assistance of the Coordinator should I not fully understand any parts of it, within thirty (30) working days upon date of hire. I agree to conform to the rules and regulations and the policies and procedures of the Center.

Signature: _____

Date: _____

Note: A copy of this acknowledgement and receipt will be retained in the employee's official personnel file.

APPENDIX A

PALOMAR COLLEGE CHILD DEVELOPMENT CENTER ORGANIZATIONAL CHART

GOVERNING BOARD

SUPERINTENDENT/PRESIDENT

VICE PRESIDENT OF INSTRUCTION

DEAN OF HUMAN ARTS AND SCIENCES

**CHILD DEVELOPMENT
DEPARTMENT CHAIR**

CENTER COORDINATOR

SITE SUPERVISOR	SUPERVISOR OF CHILD CARE OPERATIONS
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MASTER TEACHER	SENIOR OFFICE SPECIALIST
TEACHER	
ASSISTANT/AIDE	

APPENDIX B

Advancement on the Salary Matrix

Salary advancement for Regular Full Time employees shall follow the Child Development Center Salary Matrix as follows:

1. Step 1- from Date of Hire to completion of first year continuous of employment.
2. Step 2- after completion of first year of continuous employment.
3. Step 3- after completion of second year of continuous employment.
4. Step 4- after completion of fourth year of continuous employment.
5. Step 5- after completion of sixth year of continuous employment.
6. Step 6- after completion of eighth year of continuous employment.
7. Step 7- after completion of tenth year of continuous employment.
8. Step 8- after completion of twelfth year of continuous employment.
9. Step 9- after completion of fourteenth year of continuous employment.
10. Step 10- after completion of sixteenth year of continuous employment.

APPENDIX C

CA EDUCATION CODE CITATIONS

8366. Each person employed by a public or private agency as defined in Section 8213 in a position requiring a child development permit for the supervision and instruction of children, or for service as a physician, dentist, or nurse, or in the supervision of the child development program, shall be deemed to be employed in a position requiring certification qualifications. Each other person employed by an agency in a child development program under the provisions of this chapter shall be deemed for all purposes, including retirement, to be a person employed by the agency in a position not requiring certification qualifications. The provisions of Section 45053 or 45054 shall not apply to employees in child development programs. A district may lay off an employee required to have such a permit at any time during the school year for lack of work or lack of funds or may provide for his employment for not to exceed 90 days in anyone school year on an intermittent basis which shall not be deemed probationary service. The order of layoff shall be determined by length of service. The employee who has served the shortest time shall be laid off first, except that no permanent employee shall be laid off ahead of a probationary employee. A permanent employee who has been laid off shall hold reinstatement rights for a period of 39 months from the date of layoff. Service performed prior to September 18, 1959, shall not be included in computing the service required as a prerequisite for attainment of, or eligibility to, classification as a permanent child development employee. A person who is employed by an agency as a probationary employee in a position requiring a child development permit for the supervision and instruction of children, or for service as a physician, dentist, or nurse, or in the supervision of the children's program and who has served in such a position for three complete consecutive school years as defined in Sections 44908 or 87468 and 44975 or 87776 immediately prior to September 18, 1959, may be dismissed only in accordance with the provisions of Section 44949 or 87740. Other persons who are employed as probationary employees in positions requiring such permits on or after September 18, 1959, maybe dismissed in accordance with the provisions of Section 44949 or 87740.

87732. No regular employee or academic employee shall be dismissed except for one or more of the following causes:

- (a) Immoral or unprofessional conduct.
- (b) Dishonesty.
- (c) Unsatisfactory performance.
- (d) Evident unfitness for service.
- (e) Physical or mental condition that makes him or her unfit to instruct or associate with students.

- (f) Persistent violation of, or refusal to obey, the school laws of the state or reasonable regulations prescribed for the government of the community colleges by the board of governors or by the governing board of the community college district employing him or her.
- (g) Conviction of a felony or of any crime involving moral turpitude.
- (h) Conduct specified in Section 1028 of the Government Code.

87740.

a) No later than March 15 and before an employee is given notice by the governing board that his or her services will not be required for the ensuing year, the governing board and the employee shall be given written notice by the superintendent of the district or his or her designee, or in the case of a district which has no superintendent by the clerk or secretary of the governing board, that it has been recommended that the notice be given to the employee, and stating the reasons therefor. If a contract employee has been in the employ of the district for less than 45 days on March 15, the giving of the notice may be deferred until the 45th day of employment and all time periods and deadline dates prescribed in this subdivision shall be coextensively extended. Until the employee has requested a hearing as provided in subdivision (b) or has waived his or her right to a hearing, the notice and the reasons therefor shall be confidential and shall not be divulged by any person, except as may be necessary in the performance of duties. However, the violation of this requirement of confidentiality, in and of itself, shall not in any manner be construed as affecting the validity of any hearing conducted pursuant to this section.

(b) The employee may request a hearing to determine if there is cause for not re-employing him or her for the ensuing year. A request for a hearing shall be in writing and shall be delivered to the person who sent the notice pursuant to subdivision (a), on or before a date specified in that subdivision, which shall not be less than seven days after the date on which the notice is served upon the employee. If an employee fails to request a hearing on or before the date specified, this failure to do so shall constitute waiver of his or her right to a hearing. The notice provided for in subdivision (a) shall advise the employee of the provisions of this subdivision.

(c) In the event a hearing is requested by the employee, the proceeding shall be conducted and a decision made in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code and the governing board shall have all the power granted to an agency in that chapter, except that all of the following shall apply:

- (1) The respondent shall file his or her notice of defense, if any, within five days after service upon him or her of the accusation and he or she shall be notified of this five-day period for filing the accusation.
- (2) The discovery authorized by Section 11507.6 of the Government Code shall be available only if request is made therefor within 15 days after

service of the accusation, and the notice required by Section 11505 of the Government Code shall so indicate.

(3) The hearing shall be conducted by an administrative law judge who shall prepare a proposed decision, containing findings of fact and a determination as to whether the charges sustained by the evidence are related to the welfare of the colleges and the students thereof. The proposed decision shall be prepared for the governing board and shall contain a determination as to the sufficiency of the cause and a recommendation as to disposition. However, the governing board shall make the final determination as to the sufficiency of the cause and disposition. None of the findings, recommendations, or determinations contained in the proposed decision prepared by the administrative law judge shall be binding on the governing board or on any court in future litigation. Copies of the proposed decision shall be submitted to the governing board and to the employee on or before May 7 of the year in which the proceeding is commenced. All expenses of the hearing, including the cost of the administrative law judge, shall be paid by the governing board from the district funds. The board may adopt, from time to time, rules and procedures not inconsistent with this section that may be necessary to effectuate this section.

(d) The governing board's determination not to reemploy a contract employee for the ensuing college year shall be for cause only. The determination of the governing board as to the sufficiency of the cause pursuant to this section shall be conclusive, but the cause shall relate solely to the welfare of the colleges and the students thereof and provided that cause shall include termination of services for the reasons specified in Section 87743. The decision made after the hearing shall be effective on May 15 of the year the proceeding is commenced.

(e) Notice to the contract employee by the governing board that the employee's service will not be required for the ensuing year shall be given no later than May 15.

(f) If a governing board notifies a contract employee that his or her services will not be required for the ensuing year, the board, within 10 days after delivery to it of the employee's written request, shall provide him or her with a statement of its reasons for not reemploying him or her for the ensuing college year.

(g) Any notice or request shall be deemed sufficient when it is delivered in person to the employee to whom it is directed, or when it is deposited in the United States registered mail, postage prepaid and addressed to the last known address of the employee.

(h) If the governing board does not give notice provided for in subdivision (e) on or before May 15, the employee shall be deemed reemployed for the ensuing school year.

(i) If, after request for hearing pursuant to subdivision (b), any continuance is granted pursuant to Section 11524 of the Government Code, the dates prescribed in subdivisions (c), (d), (e) and (h) that occur on or after the date of granting the continuance shall be extended for a period of time equal to the continuance.

87765. The governing board of a community college district may provide for the leave of absence from duty and may grant compensation during the leave of absence to any employee of the district who is employed in an academic position and who is compelled to absent himself or herself from his or her duties because of accident or illness, whether or not the cause of absence arises out of and in the course of the employment of the employee, or because of quarantine which results from his or her contact with other persons having a contagious disease while performing his or her duties, or because of temporary inability to perform the services required of him or her because of illness, accident, or quarantine.

87766. The governing board of a community college district shall provide for leave of absence from duty for any academic employee of the district who is required to be absent from duties because of pregnancy, miscarriage, childbirth, and recovery therefrom. The length of the leave of absence, including the date on which the leave shall commence and the date on which the employee shall resume duties, shall be determined by the employee and the employee's physician. Disabilities caused or contributed to by pregnancy, miscarriage, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and shall be treated as such under any health or temporary disability insurance or sick leave plan available in connection with employment by any school district. Except as provided herein, written and unwritten employment policies and practices of a community college district shall be applied to disability due to pregnancy or childbirth on the same terms and conditions applied to other temporary disabilities. This section shall be construed as requiring the governing board of a community college district to grant leave with pay only when it is necessary to do so in order that leaves of absence for disabilities caused or contributed to by pregnancy, miscarriage, or childbirth be treated the same as leaves for illness, injury, or disability.

87781. Every academic employee employed five days a week by a community college district shall be entitled to 10 days' leave of absence for illness or injury and any additional days in addition thereto that the governing board may allow for illness or injury, exclusive of all days he or she is not required to render service to the district, with full pay for a college year of service. An employee employed for less than five schooldays a week shall be entitled, for a college year of service, to that proportion of 10days' leave of absence for illness or injury as the number of days he or she is employed per week bears to five and is entitled to those additional days in addition thereto as the governing board may allow for illness or injury to certificated employees employed for less than five schooldays a week; pay for any day of those absences shall be the same as the pay that would have

been received had the employee served during the day. Credit for leave of absence need not be accrued prior to taking leave by the employee and the leave of absence may be taken at any time during the college year. If the employee does not take the full amount of leave allowed in any school year under this section, the amount not taken shall be accumulated from year to year with additional days as the governing board may allow. The governing board of each community college district shall adopt rules and regulations requiring and prescribing the manner of proof of illness or injury for the purposes of this section. These rules and regulations shall not discriminate against evidence of treatment and the need therefor by the practice of the religion of any well-recognized church or denomination. Nothing in this section shall be deemed to modify or repeal any provision in Chapter 3 (commencing with Section 120175) of Part 1 of Division 105 of the Health and Safety Code. Section 87780 does not apply to the first 10 days of absence on account of illness or accident of any employee employed five days a week or to the proportion of 10 days of absence to which the employee employed less than five days a week is entitled hereunder on account of illness or accident or to additional days granted by the governing board. Any employee shall have the right to utilize sick leave provided for in this section and the benefit provided by Section 87780 for absences necessitated by pregnancy, miscarriage, childbirth, and recovery therefrom.

87784.

Any days of leave of absence for illness or injury allowed pursuant to Section 87781 may be used by the employee, at his election, in cases of personal necessity. The governing board of each community college district shall adopt rules and regulations requiring and prescribing the manner of proof of personal necessity for purposes of this section. The employee shall not be required to secure advance permission for leave taken for any of the following reasons:

- (a) Death or serious illness of a member of his immediate family.
- (b) Accident, involving his person or property, or the person or property of a member of his immediate family. No such accumulated leave in excess of six (6) days may be used in any school year for the purposes enumerated in this section.