

E 4112.9(a)  
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**Personnel**  
**EMPLOYEE NOTIFICATIONS**

1. To All Employees

When/Whom to Notify: At the beginning of school year or upon employment  
Education or Other Legal Code: Education Code 231.5, Government Code 12950,2 CCR 11024  
Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11  
Subject: The district's policy on sexual harassment, legal remedies, complaints

When/Whom to Notify: Annually to all employees and 72 hours before pesticide application  
Education or other Legal Code: Education Code 17612  
Board Policy/Administrative Regulation #: AR 3514.2  
Subject: Use of pesticide product, active ingredients, Internet address to access information

When/Whom to Notify: To all employees, prior to, implementing year-round schedule  
Education or Other Legal Code: Education Code 37616  
Board Policy/Administrative Regulation #: AR 6112  
Subject: Public hearing on year-round implementing year-round program schedule

When/Whom to Notify: To all employees, prior to implementing alternative schedule  
Education or Other Legal Code: Education Code 46162  
Board Policy/Administrative Regulation #: AR 6112  
Subject: Public hearing on alternative schedule in secondary grades

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

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

When/Whom to Notify: At least once per year  
Education or Other Legal Code: Education Code 49414.3  
Board Policy/Administrative Regulation #: AR 5141.21  
Subject: Request for volunteers to be trained to administer opioid antagonist

When to Notify: When a parent/guardian requests for district designation of volunteers is received for training on emergency use of anti-seizure medication for a student diagnosed with seizures  
Education or Other Legal Code: Education Code 49468.2  
Board Policy/Administrative Regulation #: To be included in AR 5141.21

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Subject: Request for volunteers to be trained in recognition and response to seizures, including administration of emergency anti-seizure medication, description of training, right to rescind offer to volunteer, prohibition against retaliation.

When/Whom to Notify: To all employees

Education or Other Legal Code: Government Code 1126

Board Policy/Administrative Regulation #: BP 4136/4236/4336

Subject: Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal

When/Whom to Notify: To all employees

Education or Other Legal Code: Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210

Board Policy/Administrative Regulation #: BP 4020, BP 4159/4259/4359

Subject: District's drug- and alcohol-free workplace; actions that will be taken if violated; available employee assistance programs

When/Whom to Notify: Upon employment

Education or Other Legal Code: Government Code 21029

Board Policy/Administrative Regulation #: None

Subject: Right to purchase PERS service credit for military service performed prior to public employment

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

Education or Other Legal Code: Health and Safety Code 1797, 196

Board Policy/Administrative Regulation AR 5141

Subject: Proper use of AED; location of all AEDs on campus; sudden cardiac arrest, school's emergency response plan

When/Whom to Notify: To all employees, if the district receives Tobacco-Use Prevention Education funds

Education or Other Legal Code: Health and Safety Code 104420

Board Policy/Administrative Regulation #: AR 3513.3

Subject: District's tobacco-free schools policy and enforcement procedures

When/Whom to Notify: Annually to all employees

Education or Legal Code: Health and Safety Code 120875, 120880

Board Policy/Administrative Regulation #: AR 4119.43/4219.43/4319.43

Subject: AIDS and hepatitis B, methods to prevent exposure

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

Education or Other Legal Code: Labor Code 230.1

Board Policy/Administrative Regulation #: AR 4161.2/4261.2/4361.2

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

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crime or abuse

When/Whom to Notify: To all employees, with each paycheck  
Education or Other Legal Code: Labor Code 246  
Board Policy/Administrative Regulation #: AR 4161.1/4261.1/4361.1  
Subject: Amount of sick leave available

When/Whom to Notify: Upon hire, in employee handbook, and upon request for parental leave  
Education or Other Legal Code: Labor Code 1034  
Board Policy/Administrative Regulation #: BP 4033  
Subject: The district's policy on lactation accommodation

When/Whom to Notify: To covered employees and former employees  
Education or Other Legal Code: Labor Code 2800.2  
Board Policy/Administrative Regulation #: AR 4154/4254/4354  
Subject: Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

When/Whom to Notify: To employees participating in a flexible spending account  
Education or Other Legal Code: Labor Code 2810.7  
Board Policy/Administrative Regulation #: None  
Subject: Deadline to withdraw funds from account before the end of the plan year

When/Whom to Notify: To every new employee, either at the time employee is hired or by end of first pay period  
Education and Other Legal Code: Labor Code 3551  
Board Policy/Administrative Regulation #: BP 4157.1/4257.1/4357.1  
Subject: Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor

When/Whom to Notify: Prior to beginning employment  
Education and Other Legal Code: Penal Code 11165.7, 11166.5  
Board Policy/Administrative Regulation #: AR 5141.4  
Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law

When/Whom to Notify: Upon employment, and when employee goes on leave for specified reasons  
Education and Other Legal Code: Unemployment Insurance Code 2613  
Board Policy/Administrative Regulation #: AR 4154/4254/4354  
Subject: Disability insurance rights and benefits

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When/Whom to Notify: To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when the superintendent or designee believes the employee needs the information for the protection of self or others when working with the student, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses  
Education or Other Legal Code: Welfare and Institutions Code 827

When/Whom to Notify: To principal, counselor who directly supervises or reports on student's behavior or progress, and teacher and other administrators who directly supervise or report on student's behavior or progress when the superintendent or designee believes the employee needs the information for the protection of self or others when working with the student, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses  
Education or Other Legal Code: Welfare and Institutions Code 827  
Board Policy/Administrative Regulation #: AR 4158/4258/4358  
Subject: Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff

When/Whom to Notify: To all employees and job applicants  
Education and Other Legal Code: 2CCR 11023; 34 CFR 104.8, 106.  
Board Policy/Administrative Regulation #: BP 0410, AR 4030  
Subject: District's policy on nondiscrimination and related complaint procedures

When/Whom to Notify: To all employees via employee handbook, or to each new employee  
Education and Other Legal Code: 2CCR 11091 CFR 825.300  
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8  
Subject: Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible

When/Whom to Notify: To all employees  
Education or Other Legal Code: 8 CCR 3203  
Board Policy/Administrative Regulation #: AR 4157/4257/4357  
Subject: The right and procedure to access the injury and illness prevention program

When/Whom to Notify: To all employees  
Education or Other Legal Code: 34 CFR 106.8  
Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11  
Subject: Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office for Civil Rights

When/Whom to Notify: Annually to all employees  
Education and Other Legal Code: 40 CFR 763.84, 763.93  
Board Policy/Administrative Regulation #: AR3514

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

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

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

Board Policy/Administrative Regulation #: AR 6178

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

**II. To Certificated Employees**

When/Whom to Notify: To eligible certificated employees in a timely manner and to part-time and substitute certificated employees within 30 days of hire

Education and Other Legal Code: Education Code 22455.5

Board Policy/Administrative Regulation #: AR 4121

Subject: Criteria for membership in retirement system; right to elect membership at any time

When/Whom to Notify: Upon employment of a retired certificated individual

Legal Code: Education Code 22461

Board Policy/Administrative Regulation #: AR 4117.14/4317.14

Subject: Postretirement earnings limitation or employment restriction; monthly report of compensation

When/Whom to Notify: To certificated employees

Education or Other Legal Code: Education Code 35171

Board Policy/Administrative Regulation #: AR 4115, BP 4315

Subject: District regulations related to performance evaluations

When/Whom to Notify: 30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated

Education and Other Legal Code: Education Code 44663

Board Policy/Administrative Regulation #: AR 4115

Subject: Copy of employee's evaluation

When/Whom to Notify: To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee

Education or Other Legal Code: Education Code 44664

Board Policy/Administrative Regulation #: AR 4115

Subject: Notice and description of the unsatisfactory performance

When/Whom to Notify: By May 30, if district elects to issue reemployment notices to certificated employees

Education or Other Legal Code: Education Code 44842

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Board Policy/Administrative Regulation #: AR 4112.1  
Subject: Request to notify district of intent to remain in service for the following school year

When/Whom to Notify: To certificated employees upon employment and to nonpermanent employees in July of each school year

Education or Other Legal Code: Education Code 44916  
Board Policy/Administrative Regulation #: AR 4112.1, AR 4121  
Subject: Employment status and salary

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

When/Whom to Notify: When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year  
Education or Other Legal Code: Education Code 44934, 44934.1, 44936  
Board Policy/Administrative Regulation #: AR 4117.4, AR 4118  
Subject: Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

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

When/Whom to Notify: To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year  
Education or Other Legal Code: Education Code 44940.5  
Board Policy/Administrative Regulation #: AR 4118  
Subject: Notice of intent to dismiss 30 days from notice unless employee demands hearing

When/Whom to Notify: To probationary employees 30 days prior to dismissal during school year, but no later than March 15 for second-year probationary employees  
Education or Other Legal Code: Education Code 44948.3  
Board Policy/Administrative Regulation #: AR 4118  
Subject: Reasons for dismissal and opportunity to appeal

When/Whom to Notify: By March 15 when necessary to reduce certificated personnel, with final notice by May 15  
Education or Other Legal Code: Education Code 44949, 44955

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**Personnel**  
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Board Policy/Administrative Regulation #: BP 4117.3

Subject: Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination

When/Whom to Notify: On or before June 30, to temporary employee who served 75 percent of school year but will be released

Education or Other Legal Code: Education Code 44954

Board Policy/Administrative Regulation #: BP 4121

Subject: District's decision not to reelect employee for following school year

When/Whom to Notify: During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to any permanent or probationary certificated employee, including an employee holding a position that requires administrative or supervisory credential, whose services are terminated

Education or Other Legal Code: Education Code 44955.5

Board Policy/Administrative Regulation #: BP 4117.3

Subject: Decrease in the number of permanent employees in accordance with a schedule of notice and hearing adopted by the Board

When/Whom to Notify: To teacher, when student engages in or is reasonably suspected of specified acts

Education or Other Legal Code: Education Code 49079

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

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

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

Education or Other Legal Code: Education Code 48201

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

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

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

Education or Other Legal Code: 5 CCR 80303

Board Policy/Administrative Regulation #: AR 4117.7/4317.7

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

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**Personnel**  
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III. To Classified Employees

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

Education or Other Legal Code: Education Code 45113

Board Policy/Administrative Regulation #: AR 4218

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

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

Education or Other Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: AR 4217.3

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

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

Education or Other Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: AR 4217.3

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

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

Education or Other Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: AR 4217.3

Subject: Notice of layoff date, displacement and reemployment rights

When/Whom to Notify: To classified employees upon employment and upon each change in classification

Education or Other Legal Code: Education Code 45169

Board Policy/Administrative Regulation #: AR 4212

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

When/Whom to Notify: To classified permanent employee whose leave is exhausted

Education or Other Legal Code: Education Code 45192, 45195

Board Policy/Administrative Regulation #: AR 4261.1, AR 4261.11

Subject: Exhaustion of leave, opportunity to request additional leave



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

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

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

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

**IV. To Administrative/Supervisory Personnel**

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

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

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

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**Personnel**  
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Subject: Notice that employee may be released or reassigned the following school year

V. To Individual Employees Under Special Circumstances

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

Education or Other Legal Code: Civil Code 1798.29

Board Policy/Administrative Regulation #: BP 3580

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

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

Education or Other Legal Code: Education Code 44031

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

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

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

Education or Other Legal Code: Education Code 49414

Board Policy/Administrative Regulation #: AR 5141.21

Subject: Defense and indemnification from civil liability by the district

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

Education or Other Legal Code: Government Code 20997

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

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

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

Education or Other Legal Code: Government Code 54957

Board Policy/Administrative Regulation #: BB 9321

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

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

Education or Other Legal Code: Government Code 54963

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

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

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

Education or Other Legal Code: Labor Code 230

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

Subject: Accommodations and leave for victims of domestic violence

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**Personnel**

**EMPLOYEE NOTIFICATIONS**

When/Whom to Notify: Within one working day of work-related injury or victimization of crime  
Education or Other Legal Code: Labor Code 3553, 5401  
Board Policy/Administrative Regulation #: BP 4157.1/4257.1/4357.1  
Subject: Potential eligibility for workers' compensation benefits, claim form

When/Whom to Notify: When adverse employment action is based on DOJ criminal history information or subsequent arrest notification  
Education or Other Legal Code: Penal Code 11105, 11105.2  
Board Policy/Administrative Regulation #: AR 4112.5/4212.5/4312.5  
Subject: Copy of DOJ notification

When/Whom to Notify: To any employee with exposure to bloodborne pathogens, upon initial employment and at least annually thereafter  
Education or Other Legal Code: 8 CCR 3204  
Board Policy/Administrative Regulation #: AR 4119.42/4219.42/4319.42  
Subject: The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records

When/Whom to Notify: To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation  
Education or Other Legal Code: 8 CCR 5191  
Board Policy/Administrative Regulation: AR 3514.1  
Subject: Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material

When/Whom to Notify: To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area  
Education or Other Legal Code: 8 CCR 5191  
Board Policy/Administrative Regulation AR 3514.1  
Subject: Any presence of hazardous substances in the work area, location and availability of hazard communication program, new safety data sheet, employee rights

When/Whom to Notify: To employee eligible for military leave  
Education or Other Legal Code: 38 USC 4334  
Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5  
Subject: Notice of rights, benefits, and obligations under military leave

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**Personnel**  
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When/Whom to Notify: Within five days of employee's request for family care and medical leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave  
Education or Other Legal Code: 29 CFR 825.300; 2 CCR 11049, 11091  
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8  
Subject: Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

When/Whom to Notify: Whenever notice of eligibility for FMLA is provided to employee  
Education or Other Legal Code: 29 CFR 825.300  
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8  
Subject: Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

When/Whom to Notify: To all employees working with families experiencing homelessness  
Education or Other Legal Code: Education Code 48851.3, 42 USC 11432  
Board Policy/Administrative Regulation #: AR 6173  
Subject: Duties of district liaison for homeless students and availability of training and services

Revised: 09/13/23

Orcutt Union School District  
Orcutt, California