



Tri-County Substitute Teacher Consortium

Colusa County Office of Education
Michael P. West, Superintendent

Sutter County Superintendent of Schools
Tom Reusser, Superintendent

Yuba County Office of Education
Dr. Francisco Reveles, Superintendent

www.tricountysubstitute.com

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SUBSTITUTE TEACHER

LEGAL MANDATES

DRUG AND ALCOHOL-FREE WORKPLACE

Pursuant to the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act of 1986 and its amendments, it is the policy and practice of all school districts and county offices of education to continue to maintain an alcohol and drug-free workplace.

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance at any workplace. Workplace is any district/county site where work is performed, any district/county vehicle, any off-school sites when accommodating a school-sponsored or school approved activity or function where students are under district/county office jurisdiction; or during any period of time when an employee is supervising students on behalf of a school district or county office or engaged in school business.

School districts/County Offices may not employ or retain in employment persons convicted of a controlled substance offense as defined in Education Code 44011.

TOBACCO-FREE WORKPLACE

Research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke. School districts and County Offices of Education recognize these health hazards and desires that every effort be made to reduce the changes that students will begin or continue to use any tobacco products. Instructional programs are designed to discourage students from using tobacco products. Employees are expected to serve as models for good health practices that are consistent with these instructional programs. Tobacco products are prohibited at all school sites and county offices of education or any sponsored activity.

SEXUAL HARASSMENT

It is prohibited for anyone who is authorized to recommend or take personnel or educational actions affecting an employee or student, or who is otherwise authorized to transact business or perform other acts or services on behalf of school districts or county offices of education to engage in sexual harassment.

Prohibited Sexual Harassment includes, but is not limited, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting.

CHILD ABUSE REPORTING REQUIREMENTS

All Substitute teachers are mandated reporters and required by law to report child abuse. Section 11166 of the CA Penal Code requires a mandated reporter who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment who he or she knows or reasonably suspects has been the victim of child abuse to report the known suspected instance of child abuse to a child protective agency.

Section 11166 of the CA Penal code states “Any person who fails to report an instance of child abuse which he or she knows to exist or reasonably should know to exist, as required by this article, is guilty of a misdemeanor and is punishable by confinement in the county jail for a term not to exceed six months or by a fine of not more than one thousand dollars or both”.

The reporting duties of mandated reporters are individual and cannot be delegated to another person (Penal Code 11166).

Immediately or as soon as practicably possible after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to Child Protective Services. Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report.

A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any person making a report shall incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report (Penal Code 11172).

Any violation of these policies will result in the substitute being removed from the substitute teacher pool and could possibly result in criminal charges.

WORKERS' COMPENSATION

California law guarantees certain benefits to employees who are injured or become ill because of their jobs. Any job related injury or illness is covered. Types of injuries include, but may not be limited to: strains, sprains, cuts, cumulative or repetitive traumas, fractures, illnesses and aggravations.

All work related injuries or illnesses must be reported to the Principal of the school site in which you are working at the time of injury or illness. Don't delay. There are time limits. If you wait too long, you may lose your right to benefits. The employer (school district/county office) is required to provide you a claim form within one working day after learning about your injury or illness.

It is unlawful for an employer to discriminate against workers who are injured on the job or who testify in another employee's case. Any such employee may be entitled to compensation, reinstatement and reimbursement for lost wages and benefits.

Immediately report any work-related injury or illness whether or not you feel it is necessary to seek medical attention.

If after an injury, the doctor either takes you off work for a period of time or indicates you have work restrictions, you must notify each county office in which you are registered as a substitute in order to assure compliance with the doctors' orders.

If at any time, you have questions regarding any of the above laws and/or regulations, you may contact:

Colusa County Office of Education
Rachel Webb, Human Resources
Specialist II
146 Seventh Street
Colusa, CA 95932
(530) 458-0350 ext. 10367
(530) 458-8054 – Fax
www.ccoe.net

Sutter County Superintendent of Schools
Travis Mays, Credential/Substitute Services
Assistant.
970 Klamath Lane
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(530) 822-2903
(530) 671-3455 – Fax
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Yuba County Office of Education
Monique DeV Vaughn
Fiscal Administrative Assistant /
Substitute Support
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