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Book	WSSDA Model Policies
Section	5000 - Personnel
Title	Recruitment and Selection of Staff
Number	5000
Status	Active
Last Revised	12.14
Classification	Priority
Prior Revised Dates	02.12
Adoption Date	02.17.15

Responsible Governance

Staff are recruited and selected to assure that students grow and meet their full potential in district programs. Staff are highly effective, and have the necessary skills and experience to meet the learning needs of all students. The district works with teacher preparation programs, communicating the teaching skills, competencies, and experiences it considers of primary importance in its staff, and providing field experiences designed to train teachers to be able to improve student learning. Decisions about hiring, assigning, or transferring staff are based on maximizing the effectiveness of that staff member within the district's programs.

Creating Conditions for Student and Staff Success

Staff positions are established by the board to provide the district's comprehensive program of education. New positions are established by the board as needed. The superintendent establishes the necessary skills, competencies, qualifications, education, experience, and past performance levels for each position, as it relates to the district's comprehensive program of education, and the goal of continued improvement in student learning. Selection of staff is based on which candidate is the most qualified for the position, and is made pursuant to the district's standard screening, interview, and reference check process, and equity requirements.

High Expectations for Student Learning

Positions are created within budget parameters, and legal requirements. Part of the district's strategic and short-term planning processes analyzes current and projected staffing requirements. The filling of individual positions is done with consideration to salary issues, budget parameters, and legal requirements. The superintendent regularly evaluates the effectiveness of the district's staff recruitment and selection processes, and reports the findings and recommendations from the evaluation to the board.

Community Engagement

The board and district regularly communicate to staff, professional associations, employee bargaining units, teacher and professional preparation programs in higher education, students, parents, and the larger community the district's commitment to hiring those people best prepared and able to improve student achievement.

Legal References

RCW 28A.400.300 Hiring and discharging of employees — Written leave policies — Seniority and leave benefits of employees transferring between school districts and other educational employers.

RCW 28A.405.210 Conditions and contracts of employment — Determination of probable cause for nonrenewal of contracts — Nonrenewal due to enrollment decline or revenue loss — Notice — Opportunity for hearing

RCW 43.43.830 Background checks — Access to children or vulnerable persons — Definitions

RCW 43.43.832 Background checks —Disclosure of information - Sharing of criminal background information by health care facilities

RCW 49.44.200 Personal social networking accounts – Restrictions on employer access - Definitions

RCW 49.44.205 Violations of RCW 49.44.200 – Civil action - Remedies

Chapter 162-12 WAC Preemployment Inquiry Guide (Human Rights Commission)

P.L. 99-603 (IRCA)Immigration Reform and Control Act of 1986

Title 8 USC, Ch. 12 §1324a and §1324b

WAC 392-190-0591 Public school employment and contract practices - Nondiscrimination

Cross References

5005 - Employment Disclosures, Certification Requirements, Assurances and Approval

5610 - Substitute Employment

Management Resources

2014 - December Issue

2012 - February Issue

Book	WSSDA Model Policies
Section	5000 - Personnel
Title	Procedure Recruitment and Selection of Staff
Number	5000P
Status	Active
Last Revised	12.14
Classification	
Prior Revised Dates	04.98; 08.04; 12.11
Adoption Date	02.17.15

Current and projected staff needs provide the basis for staff recruitment and selection. Once needs are identified, the recruitment and selection process should result in employing a staff member who is the most qualified to fulfill the need based upon the candidate's skill, training, experience and past performance.

Identifying Needs

- A. Collect enrollment projections from each school building (use birth data to estimate "K" enrollment).
- B. Compare building projections with long-range district projections using the cohort survival ratio.
- C. Establish staffing needs using the lowest projections.
- D. Identify returning staff members, including returns from leave of absence and excluding retirees.
- E. Identify openings, recognizing the new requirements, goals and priorities of the district and including possible co-curricular assignment needs.
- F. Review voluntary transfer requests in relation to the provisions of the collective bargaining agreement.
- G. Identify possible involuntary transfers in relation to provisions of the collective bargaining agreement.

Recruiting

- A. Review affirmative action plan and goals.
- B. Develop job description for each necessary position, including salary range.
- C. Develop job announcement using information from job description; experience, preparation, salary range and other related information.
- D. List vacancies with intention to reach potential applicants from protected employment groups in order to achieve affirmative action goals.

Screening

- A. Identify screening and interviewing team with alternates prior to announcing the vacancy.
- B. Review criteria for screening.
- C. Compile a screening summary report for each candidate to be considered, including specific reasons for eliminating candidates.
- D. Select candidates to be interviewed. (Note: Findings should be stated on the screening summary report for each candidate that was considered.)
- E. Notify rejected applicants.

Interviewing

- A. Prepare for interview by:
 - 1. Reviewing all duties and responsibilities of the position;
 - 2. Reviewing the minimum qualifications needed to perform the duties of the position;
 - 3. Developing a series of questions to be used in interviewing candidates, including guidelines for what to look for in response to questions; and
 - 4. Reviewing the candidate's application folder.
- B. Meet with team to review interview questions and evaluation procedure.
- C. Ask each candidate to respond to a predetermined set of questions.
- D. Record the responses of each candidate.
- E. Give the candidate an opportunity to ask any question(s).
- F. Inform the candidate regarding the time line for hiring.
- G. Rate the candidate on a scale for each response to each question
- H. Ask one clear and concise question at a time.
- I. Avoid cross-examination or pressure techniques.
- J. Insure fairness by asking the same questions developed from the established criteria for the position.
- K. Abide by the Human Rights Commission's published list of fair and unfair questions. For example:
 - For Personal Information, ASK** questions such as:
 - 1. What are your specific goals in a job?
 - 2. What is your overall career objective?

3. What specific job characteristics are important to you? Why?
4. What job characteristics would you like to avoid? Why?
5. Do you have any commitments which would prevent you from working the scheduled hours for this position?
6. Do you have any specific health conditions which would prevent you from performing all the duties of this job?
7. Describe the best supervisor you have had.
8. Describe the worst supervisor you have had.

DO NOT ASK questions such as:

1. Is it Miss, Mrs. or Ms? Are you married? Do you have children?
2. What does your husband/wife do? Where do you live?
3. What is the origin of your name?
4. Do you mind working for a female or a minority supervisor?
5. Do you have a disability?

For Education Information, ASK questions such as:

1. Which subjects did you excel in at school?
2. How did you happen to select _____ as your major?
3. Did you work at a part-time job while at school?
4. Are you interested in continuing your education? Why? When? Where?
5. Do you feel your education prepared you for the job you are seeking with us? In what ways?
6. Were you involved in any extracurricular activities?

DO NOT ASK questions such as:

1. Did you go to school on a scholarship?
2. Where did you live while attending college?
3. What organizations did you belong to in school?

For Military Information, ASK questions such as:

1. What other kinds of training or schooling have you received?
2. In what ways do you feel your training will help you in performing this job?

3. What did you find challenging about your assignment?

DO NOT ASK questions such as:

1. Were you drafted?
2. Where were you stationed?
3. What type of discharge did you receive from the United States military service?

For Employment and Experience Information, ASK questions such as:

1. Tell me about your last job and your major responsibilities.
2. What were some of the more challenging aspects of your job?
3. Describe the training you received on your last job.
4. In what ways do you feel your previous employment will help you in performing this job?
5. If we were to contact your previous employer, what would he/she describe as your strengths? What areas might he/she suggest for improvement?
6. Which of your past jobs did you enjoy the most? Least? Why?
7. What were your reasons for leaving your last job?
8. May we contact your present employer?

DO NOT ASK questions such as:

1. Why have you had so many jobs?
2. Why are you coming back to work after so many years?
3. How do feel about working with younger/older people?

- L. DO NOT request, require or otherwise compel or coerce an applicant to: 1) disclose login information for their personal social networking account; or 2) access their personal social networking account in the presence of any district employee; or 3) add a district employee to their personal social networking account's contact list; or 4) alter the settings on their personal social networking account to affect any third party's ability to view it.

The district may not refuse to hire an applicant based on the his/her failure to comply with any of the above-listed requests or requirements regarding their personal social networking account.

Verifying References

- A. Contact candidate's previous supervisor(s). Ask prepared list of job-related questions.
- B. Visit and/or observe candidate on site (when possible).

- C. Contact any personal acquaintances who would know about the qualifications of the candidate.
- D. Rate the candidate on a scale for the response to each question.

Recommending

- A. Review available information:
 - 1. Credentials - training, experience and recommendations
 - 2. Letters of application, responses to topics on supplementary application,
 - 3. Responses to interview questions,
 - 4. Contact with previous supervisors and personal acquaintances.
- B. Select candidate to be recommended to superintendent.
- C. Prepare supporting statements on behalf of the candidate to be recommended.
- D. Place screening evaluation, interview evaluation, and telephone reference check reports in a file for possible future reference.

Employing

- A. Review the written recommendation and supporting information from the interviewer(s).
- B. Inform candidate that he/she will:
 - 1. Be recommended for the position, provided that the records of the Washington State Patrol criminal investigation system reveal that the prospective staff member is free of any convictions of offenses against children and other persons. (RCW 43.43.832);
 - 2. Receive a general statement about the type of contract that will be issued (letter of intent);
 - 3. Be expected to verify in writing his/her willingness to accept a contract if offered;
 - 4. Be expected to present documents which establish his/her identity, and attest, in writing, his/her eligibility to work in this country; and
 - 5. (Classified staff) may be subjected to a background check with the Washington State Patrol in accordance with RCW 43.43.830.
- C. Present recommendation to board in executive session (supervisor may be requested to attend).
- D. Employ candidate at official board meeting noting the type of contract to be issued.
- E. Advise unsuccessful candidates.

Issuing Contracts

- A. Secure official statements regarding the work experience from previous employers.
- B. Evaluate transcript in terms of salary schedule placement criteria.
- C. Issue appropriate contract — Replacement, Provisional, Temporary (less than one year), Supplemental.
- D. Issue appropriate business forms and payroll information, and register teaching certificate.

Hiring of Retired School Employees

The district will recruit, select and employ the best-qualified individuals as employees. The district may employ persons retired from the Teachers' Retirement System (TRS), the School Employees' Retirement System (SERS) or the Public Employees' Retirement System (PERS). A retired employee will only be rehired pursuant to this district policy.

Until August 1, 2020, the district may employ teachers in TRS Plan 2 or 3 who have retired under the alternate early retirement provisions of RCW 41.32.765(3)(b) or RCW 41.32.875(3)(b). Such employment is subject to the following conditions: 1) One calendar month must have elapsed since the retiree's accrual date; 2) the retiree must be employed exclusively as either a substitute teacher as defined in RCW 41.32.010(48)(a) or in an instructional capacity (as opposed to an administrative or supervisory capacity); and 3) the district must compensate its substitute teachers at a rate that is at least 85% of the full daily amount allocated by the state to the district for substitute teacher compensation.

All retirees of TRS, SERS or PERS may work an annual threshold of eight hundred sixty-seven (867) hours per year while receiving retirement benefits. The annual threshold for TRS Plan 1 retirees is calculated per fiscal year. All other plans are calculated per calendar year. Qualified

hours are determined by whether the retiree works in an eligible position as defined by RCW 41.32.010(48)(a) or by the Department of Retirement Systems (DRS).

District Responsibilities

The district will abide by the following process when considering a retiree for employment:

- A. The board of directors will approve a process for recruitment and selection of employees, including those vacancies for which a retiree applicant may be considered;
- B. Applicant(s) will be evaluated and considered equally, selecting the candidate who best meets the needs of the district;
- C. There will be no prearranged employment agreement or commitment to rehire an employee after retirement. Mere inquiries about post-retirement employment do not constitute an agreement;
- D. Employment will be limited to a maximum of a one-year, non-continuing contract or appointment;
- E. Subject to any applicable bargaining agreements, vacancies filled by retirees will be annually reviewed by the board to determine whether the retiree will be rehired for another year of employment;
- F. The district will provide the retiree with the same terms and conditions of employment as other appointees or employees in comparable positions with the exception of sick-leave cash-out; and
- G. The district will report the number of hours worked by the retiree to DRS.

Retired Employee Responsibilities

The following conditions of employment will apply to retirees that are re-employed:

- A. Retired applicants will disclose to the district whether they are retired from a Washington state retirement plan.
- B. Employees must satisfy the DRS requirement for separation and retirement from service prior to accepting a retire/rehire position with the district.
- C. Retirees are subject to the same collective bargaining membership as other one-year temporary employees.

Employment and Volunteers: Disclosures, Certification Requirements, Assurances and Approval

Federal Immigration Law Compliance for Staff

The board has the legal responsibility of employing all staff. The responsibility of administering the recruitment process is assigned to the superintendent/designee. Prior to final action by the board, a prospective staff member will present necessary documents which establish eligibility to work as required by federal immigration law. The superintendent/designee will certify that he/she has: “examined the documents which were presented to me by the new hire, that the documents appear to be genuine, that they appear to relate to the individual named, and that the individual is a U.S. citizen, a legal permanent resident, or a non-immigrant alien with authorization to work.” This certification will be made on the I-9 form issued by the Federal Immigration and Naturalization Service.

Child Support Reporting for Staff

The district will report all new hires to the state Department of Social and Health Services Division of Child Support as required by P.L. 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Sexual Misconduct Release Form for Staff

Pursuant to state law, the district will require that every prospective staff member sign a release form allowing the district to contact school employers regarding prior acts of sexual misconduct. The applicant will authorize current and past school district employers including employers outside of Washington to disclose to the district sexual misconduct, if any, and make available to the district all documents in the employer's personnel, investigative or other files related to the sexual misconduct. The applicant is not prohibited from employment in Washington state if the laws or policies of another state prohibit disclosure of this information or if the out-of-state district denies the request.

Disclosures for Staff and Volunteers

Prior to employment of any unsupervised staff member or volunteer, the district will require the applicant to disclose whether he/she has been:

- A. Convicted of any crime against persons;
- B. Found in any dependency action under RCW 13.34 to have sexually assaulted or exploited any minor or to have physically abused any minor;
- C. Found by a court in a domestic relations proceeding under Title 26 RCW to have sexually abused or exploited any minor or to have physically abused any minor;
- D. Found in any disciplinary board final decision to have sexually abused or exploited any minor or to have physically abused any minor: or
- E. Convicted of a crime related to drugs: manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance.

For purposes of this policy, unsupervised means not in the presence of another employee or volunteer and working with children under sixteen years of age or developmentally disabled persons. The disclosure will be made in writing and signed by the applicant and sworn to under penalty of perjury. The disclosure sheet will specify all crimes committed against persons.

Background Check for Staff and Volunteers

Staff and Volunteers with Regularly Scheduled Unsupervised Access to Children:

Prospective staff members and volunteers, who will have regularly scheduled unsupervised access to children, will have their records checked through the Washington State Patrol criminal identification system and through the Federal Bureau of Investigation. The record check will include a fingerprint check using a complete Washington state criminal identification fingerprint card.

All Other Staff and Volunteers:

Staff and volunteers without unsupervised access to children will undergo a name and birth date background check with the Washington State Patrol.

If a volunteer has undergone a criminal record check in the last two years for another entity, the district will request a copy from the volunteer, or have the volunteer sign a release permitting the entity for whom the check was conducted to provide a copy to the district.

Conditional Employment:

New hires will be employed on a conditional basis pending the outcome of the background check and may begin conditional employment once completed fingerprint cards have been sent to the Washington State Patrol. If the background check reveals evidence of convictions, the candidate will not be recommended for employment, or if conditionally employed, may be terminated. When such a background check is received, the superintendent/designee is directed to consult with legal counsel.

Record Check Database Access Designee

The superintendent/designee is directed to establish procedures for determining which staff members are authorized to access the Superintendent of Public Instruction's (OSPI) record check database. Fingerprint record information is highly confidential and will not be re-disseminated to any organization or individual by district staff. Records of arrest and prosecution (RAP sheets) will be stored in a secure location separate from personnel and applicant files and access to this information is limited to those authorized to access the SPI record check database.

Certification Requirements

The district will require that certificated staff hold a Washington state certificate, with proper endorsement (if required for that certificate and unless eligible for out-of-endorsement assignment), or such other documentation as may be required by the professional educator standards board with respect to alternative route programs, for the role and responsibilities for which they are employed. Failure to meet this requirement will be just and sufficient cause for termination of employment. State law requires that the initial application for certification will require a background check of the applicant through the Washington State Patrol criminal identification system and Federal Bureau of Investigation. No salary warrants may be issued to the staff member until the district has registered a valid certificate for the role to which he/she has been assigned.

All certificated staff members are required to maintain their certification in accordance with state and federal requirements.

Classified Staff

Classified staff who are engaged to serve less than twelve (12) months, will be advised of their employment status for the ensuing school year prior to the close of the school year. If the district chooses to reemploy the staff member the following year, the superintendent/designee will give “reasonable assurance” by written notice that the staff member will be employed during the next school year.

Board Approval

All staff members selected for employment will be recommended by the superintendent. Staff members must receive an affirmative vote from a majority of all members of the board. In the event an authorized position must be filled before the board can take action, the superintendent has the authority to fill the position with a temporary employee who will receive the same salary and benefits as a permanent staff member. The board will act on the superintendent’s recommendation to fill the vacancy at its next regular meeting.

Adoption Date:

Classification: **Essential**

Revised Dates: **12.00; 12.01; 04.04; 10.05; 06.07; 10.10; 12.11; 07.17; 09.17**

Employment: Disclosures, Certification Requirements, Assurances and Approval

Citizenship Status

Prior to official employment, the district will document the citizenship/immigration information regarding employment eligibility that is furnished by the prospective employee. The information that is recorded may come from single documents which establish both identity and authorization to work, including:

Acceptable Verification Document for New Hires

A. One Document Establishing *Both* Identity and Employment Authorization

U.S. Passport	Resident Alien Card	Alien Registration Card a.k.a. "Green Card"
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— OR —

B. One Document Establishing Identity

C. One Document Establishing
Employment Authorization

Drivers License or State-Issued ID Card with Photo	PLUS	Social Security Card
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The district must complete an Immigration Service Form (I-9) for each staff member employed after November, 6, 1986, and keep that form on file for three years. For updates visit www.uscis.gov.

Sexual Misconduct

For prospective employees, the school district shall request sexual misconduct information from all current and former school employers, including out-of-state school employers.

All prospective employees must sign a release granting permission for the district to contact current and former employers. The release shall authorize disclosure of acts of sexual misconduct and access to all school district files related to the misconduct. The prospective

employee shall agree to release current and past employers from liability. Refusal to allow the release of information will end consideration of the applicant.

For certificated applicants, the district shall verify certification and request that the Office of Superintendent of Public Instruction release all information regarding sexual misconduct.

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Procedure 5005P

Background Check

As per board policy, the superintendent may employ staff members on a temporary basis until the board takes final action on the recommendation of the superintendent.

Unsupervised employees are subject to a background check with fingerprints to be furnished by the state patrol and Federal Bureau of Investigation. Unsupervised volunteers and employees without unsupervised access to children shall have name and date of birth background checks provided by the Washington State Patrol.

If a volunteer has undergone a criminal record check in the last two years for another entity, the district shall request a copy from the volunteer, or have the volunteer sign a release permitting the entity for whom the check was conducted to provide a copy to the district. The entity from whom the record check is obtained is immune from criminal or civil liability for the dissemination of the information. In this instance, the district will also require that the volunteer sign a disclosure statement assuring the district that the volunteer has not been convicted of a covered crime since the completion of the criminal record check.

All such records shall be treated as confidential and only the director of personnel and one specific designee identified in writing shall be authorized to access the Superintendent of Public Instruction's record check data base and district record check data including records of arrest and prosecution (RAP sheets). RAP sheets shall be secured by the district in storage separate from personnel and applicant records. Further use of the record following initial employment or redissemination of the records to another organization or individual is expressly prohibited. Lawful use of such information does not constitute liability for defamation, invasion of privacy, or negligence, but noncompliance with this policy, relevant rules and statutes may allow for the recovery of civil damages under applicable federal and state statutes.

Employment information disclosed by the district at the request of an employee or employment agency regarding an employee's ability to perform the job, diligence, skill, reliability or illegal or wrongful acts are presumed to be disclosed in good faith.

The district shall keep a record of requests for employee information for a period of two (2) years. A copy of the record will be maintained in the employee's file.

Date: 121410

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Policy No.5006
Personnel

CERTIFICATION REVOCATION

The board of directors recognizes its responsibility to protect students from physical and/or emotional harm. Staff members are expected to exhibit "good moral character and personal fitness" as they teach or supervise students. Staff members shall not engage in unprofessional conduct including:

- A. The related acts of immorality and/or intemperance;
- B. Violation of written contract;
- C. Crime against the state or involving the physical neglect of children;
- D. The physical injury of children;
- E. Sexual misconduct with children or students;
- F. Misrepresentation or falsification in the course of professional practice;
- G. Possession, use or consumption or being under the influence of alcohol or of a controlled substance on school premises or at a school-sponsored activity involving students;
- H. Disregard or abandonment of generally recognized professional standards;
- I. Abandonment of contract for professional services;
- J. Unauthorized professional practice;
- K. Illegal furnishing of alcohol or a controlled substance including marijuana (cannabis) to a student; or
- L. Improper remunerative conduct.

Unprofessional conduct shall not include matters such as insubordination, violation of the collective bargaining agreement or other employment related acts correctable by the district or other civil remedies.

When the superintendent possesses sufficient reliable information to believe that a certificated employee is not of good moral character or personally fit or has committed an act of unprofessional conduct, within a reasonable period of time of making such determination, he/she shall file a written complaint with the superintendent of public instruction.

If the district is considering action to discharge a staff member, the superintendent need not file such complaint until ten calendar days after making the final decision to serve or not serve formal notice of discharge. Such written complaint shall state the grounds for revocation and summarize the factual basis upon which a determination has been made that an investigation by the superintendent of public instruction is warranted. The Superintendent of Public Instruction shall provide the affected certificate holder with a copy of such written complaint.

Intentional failure to file a complaint is an act of unprofessional conduct and may be sufficient cause for revocation of the superintendent's professional education certificate. A staff member may voluntarily surrender his or her certificate.

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The superintendent shall maintain a confidential file containing allegations and the findings related to his/her investigation.

- Cross References: Board Policy 5005 Employment Disclosures, Certification, Assurances and Approval
5281 Disciplinary Action and Discharge
5282
- Legal References: RCW 28A.400.320 Mandatory termination of classified employees
28A.405.470 Mandatory termination of certificated employees
28A.410.090 Revocation of Authority teach —Method — Grounds
28A.410.100 Revocation of authority to teach —Hearings and appeals
28A.410.110 Reinstatement prohibited for crimes
WAC 181-79A Standards for teacher, administrator, and educational staff associate certification

181-86 Professional Certification – Policies and procedures for administration of certification proceedings
181-87 Professional certification – Acts of unprofessional conduct
181-79A-155 Good Moral Character and Personal Fitness – Necessary supporting evidence applicants

Adoption Date: 04/16/13
Naselle-Grays River Valley School District



Nondiscrimination and Affirmative Action

Nondiscrimination

The district will provide equal employment opportunity and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion and training. Such equal employment opportunity will be provided without discrimination with respect to race, creed, religion, color, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation including gender expression or identity, marital status, the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability.

The board will designate a staff member to serve as the compliance officer.

Affirmative Action

The district, as a recipient of public funds, is committed to undertake affirmative action which will make effective equal employment opportunities for staff and applicants for employment. Such affirmative action will include a review of programs, the setting of goals and the implementation of corrective employment procedures to increase the ratio of aged, persons with disabilities, ethnic minorities, women, and Vietnam veterans who are under-represented in the job classifications in relationship to the availability of such persons having requisite qualifications. Affirmative action plans may not include hiring or employment preferences based on gender or race, including color, ethnicity or national

origin. Such affirmative action will also include recruitment, selection, training, education and other programs.

The superintendent will develop an affirmative action plan which specifies the personnel procedures to be followed by the staff of the district and will ensure that no such procedures discriminate against any individual. Reasonable steps will be taken to promote employment opportunities of those classes that are recognized as protected groups — aged, persons with disabilities, ethnic minorities and women and Vietnam veterans, although under state law, racial minorities, and women may not be treated preferentially in public employment.

This policy, as well as the affirmative action plan, regulations and procedures developed according to it, will be disseminated widely to staff in all classifications and to all interested patrons and organizations. Progress toward the goals established under this policy will be reported annually to the board.

Employment of Persons with Disabilities

In order to fulfill its commitment of nondiscrimination to those with disabilities, the following conditions will prevail:

- A. No qualified person with disabilities will, solely by reason of a disability, be subjected to discrimination and the district will not limit, segregate or classify any applicants for employment or any staff member in any way that adversely affects his/her opportunities or status because of a disability. This prohibition applies to all aspects of employment from recruitment to promotions, and includes fringe benefits and other elements of compensation.
- B. The district will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled applicant or staff member unless it is clear that an accommodation would impose an undue hardship on the operation of the district program. Such reasonable accommodations may include:
 - 1. Making facilities used by staff readily accessible and usable by persons with disabilities; and
 - 2. Job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters and other similar actions.

In determining whether or not accommodation would impose an undue hardship on the district, factors to be considered include the nature and cost of the accommodation.

- C. The district will not make use of any employment test or criteria that screens out persons with disabilities unless:
 - 1. The test or criteria is clearly and specifically job-related; and
 - 2. Alternative tests or criteria that do not screen out persons with disabilities are available.
- D. While the district may not make pre-employment inquiry as to whether an applicant has a disability or as to the nature and severity of any such disability, it may inquire into an applicant's ability to perform job-related functions.
- E. Any staff member who believes that there has been a violation of this policy or the law prohibiting discrimination because of a disability may initiate a grievance through the procedures for staff complaints.

Nondiscrimination for Military Service

The district will not discriminate against any person who is a member of, applies to be a member or performs, has performed, applies to perform or has an obligation to perform service in a uniformed service, on the basis of that participation in a uniformed service. This includes initial employment, retention in employment, promotion or any benefit of employment. The district will also not discriminate against any person who has participated in the enforcement of these rights under state or federal law.

4/18/17

Naselle-Grays River Valley School District



Procedure Nondiscrimination and Affirmative Action

Nondiscrimination

To ensure fairness and consistency, the following grievance procedure is to be used in the district's relationship with its staff with regard to employment problems covered by state and federal equal employment opportunity laws and/or this affirmative action program. No staff member's status with the district will be adversely affected in any way because the staff member utilized these procedures. As used in this procedure, "grievance" will mean a complaint which has been filed by a complainant relating to alleged violations of any state or federal anti-discrimination laws. A "complaint" will mean a charge alleging specific acts, conditions or circumstances which are in violation of the anti-discrimination laws. A "respondent" will mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint to this and the following steps will be taken:

Affirmative Action Plan

In order to secure an equitable solution to a justifiable complaint the district will:

- A. Make efforts to modify the composition of the future work force in order to work toward a full utilization of aged, persons with disabilities, ethnic minorities, women and Vietnam veterans in the various job categories.
- B. Ensure that all applicants and staff are considered on the basis of bona fide job-related qualifications. The purpose of the affirmative action plan is to actively include

persons of under-utilized classes in the employment process, not to exclude others from it. The district will continue to emphasize in all recruitment contacts that nondiscrimination is a basic element in the district's personnel procedures.

- C. Be responsible for reviewing all employment procedures and programs to assure that there is no indication of discriminatory practices. The district will continue to use aged, persons with disabilities, ethnic minorities, women and Vietnam veterans in the recruitment and employment process. Job descriptions for classified staff will be sent to the Washington Employment Service and other organizations which are recruiting sources for groups that may be under-utilized in the district's work force. Recruitment from colleges and universities will include institutions with high percentages of students of various ethnic minorities.
- D. Contract and purchase all goods and services from persons, agencies, vendors, contractors and organizations who comply with the appropriate laws and executive orders regarding discrimination.
- E. Take appropriate action to attract and retain aged, persons with disabilities, ethnic minorities, women and Vietnam Veterans at all levels and in all segments of the district's work force. Criteria for selecting staff will be reviewed regularly to assure that such statements relate directly to the requirements for specific positions. However, pursuant to state law there will be no preferential employment practices based on race or gender.
- F. Upgrade present staff by providing management development training to assure that individuals of under-utilized groups are prepared for positions of new and increased responsibility.

Implementation of the affirmative action plan will be the responsibility of the superintendent. Administrators will assist in the attainment of the established goals and purposes of this affirmative action plan.

Dissemination

The district will disseminate information concerning employment and developments under the affirmative action plan on a planned basis to assist in achieving the goals set forth in this plan. Affirmative action information will be disseminated by:

- A. Printing and distributing such information to staff, school libraries and offices;
- B. Publicizing such information in district newsletters;
- C. Conducting meetings with administrative staff to explain the intent and advantages of the policy and plan;
- D. Conducting faculty meetings and meetings with classified staff;

- E. Informing appropriate and interested recruiting and hiring sources; and
- F. Informing all representative staff groups in the district.

Male/Female Balance and Staff Goals

The profile of the district's current utilization of women is set forth. By the commencement of the 2018 school year, the district will strive to achieve a rate of employment in regard to sex at least equivalent across the district for males and females. The district will see that measurable efforts are made in the utilization of women for higher levels of responsibility in both certificated and classified positions. The district will make good faith effort to recruit, interview and employ individuals consistent with the district commitment to nondiscrimination and affirmative action for all positions and in every department, school and level of operation. Preferential or adverse employment practices, including demotions or termination will not be used to meet stated goals or time lines.

A. Administrators

Goal: To place females in administrative positions.

Objectives: To place females in administrative positions as they become available which falls within a range of 50% men and/or women, without using preferential employment practices.

To identify qualified potential candidates from outside the district for consideration for future openings.

B. Principals and Assistant Principals

Goal: To place females in principal positions.

Objective: To place females in principal and assistant principal positions as they occur and trained women are available, without using preferential employment practices.

C. Teachers, Elementary or grades K-8

Goal: To provide each student with the opportunity to experience both male and female homeroom teachers during the primary as well as the intermediate grades.

Objective: To achieve a staff which falls within a range of 50 % men and/or women in the primary as well as the intermediate grades at each school, without using preferential employment practices.

D. Teachers, Secondary or grades 9-12

Goal: To provide students with the opportunity to work with male and female staff in both curricular and extracurricular activities.

Objective: To maintain a staff which falls within a range of 50% men and/or women for classroom teachers and activity supervisors, without using preferential employment practices.

E. Support Staff — Certificated and Classified

Objective: To achieve a staff which falls within a range of 50% men and/or women, without using preferential employment practices.

Ethnic Minority Balance and Staff Goals

The profiles of the district's current student ethnic minority population and the district's current ethnic minorities (American Indian/ Native American, Asian, Black, and Hispanic) are set forth. By the commencement of the 2018 school year the district will strive to achieve a rate of employment for ethnic minorities in both certificated and classified areas as indicated in this plan, without using preferential employment practices. These goals are a utilization level for certificated staff, at least equal to the percentage of ethnic minority student enrollment within the district; for classified staff a utilization level of at least 15 %, a figure based upon relevant availability figures in the district's area. Final and interim goals are set. The district will see that measurable efforts are made in the utilization of ethnic minorities for higher levels of responsibility in both certificated and classified positions, without using preferential employment practices. The district will make good faith effort to recruit, interview and employ individuals consistent with the district commitment to nondiscrimination and affirmative action for all positions and in every department, every school and at every level of operation. Preferential or adverse employment practices, including demotions or termination will not be used to meet stated goals or time lines.

A. Administrators

Goal: To place ethnic minorities in administrative positions, without using preferential employment practices.

Objectives: To place ethnic minorities in administrative positions as they become available to progress toward the percentage of ethnic minorities in the current ethnic minority student enrollment.

To identify qualified potential candidates from outside the district for consideration for future openings.

B. Principals and Assistant Principals

Goal: To place ethnic minorities in principal positions.

Objective: To place ethnic minorities in principal and assistant principal positions as they occur and trained applicants are available, without using preferential employment practices.

C. Teachers: Elementary or grades K-8

Goal: To provide each student with the opportunity to experience ethnic minority homeroom teachers during the primary as well as the intermediate grades, without using preferential employment practices.

Objective: To achieve a staff of primary and intermediate teachers in which the percentage of ethnic minorities is comparable to that of the current ethnic minority student enrollment.

D. Teachers: Secondary or grades 9-12

Goal: To provide students with the opportunity to work with ethnic minority staff in both curricular and extracurricular activities.

Objective: To maintain a staff of classroom teachers and activity supervisors in which the percentage of ethnic minorities is comparable to that of the current ethnic

minority student enrollment, without using preferential employment practices.

E. Support Staff - Certificated and Classified

Objective: To achieve a staff of certificated and classified support staff in which the percentage of ethnic minorities is comparable to that of the current ethnic minority student enrollment, without using preferential employment practices.

Aged Balance and Staff Goals

The profile of the district's current age distribution of certificated and classified staff is set forth in CEDARS. By the commencement of the 2018 school year, the district will strive to achieve a rate of employment for age categories for both certificated and classified staff as indicated in this plan. The district will make good faith effort to recruit, interview and employ individuals consistent with the commitment to nondiscrimination and affirmative action providing the prospective staff member meets the requisite standards for the specific position.

A. Administrators

Goal: To identify administrative positions where age is not a barrier to performance.

Objective: To create opportunities for older prospective staff to work on a part-time basis when it would not deter the district's operations.

B. Teachers

Goal: To provide opportunities for students to work with older staff in both curricular and extracurricular activities.

Objective: To create opportunities for older staff to work on a part-time basis in those situations where the staff member can serve as a role-model to the student or can share his/her breadth of experience.

C. Support Staff - Certificated and Classified

Goal: To identify positions in the district, either full-time or part-time, where age does not limit the performance of the prospective staff member.

Objective: To place prospective staff who desire to work in positions where they are able to meet the expectations and/or needs of the district.

Persons with Disabilities: Balance and Staff Goals

The profile of the district's current distribution of certificated and classified staff with disabilities conditions is set forth in CEDARS. By the commencement of the 2018 school year, the district will strive to achieve a rate of employment for handicapped staff in certificated and classified areas as indicated in the district's statistical area. The district will make good faith effort to recruit, interview, and employ individuals consistent with the district's commitment to nondiscrimination and affirmative action providing the prospective staff member meets the requisite standards for the specific position.

The ratio of placement will be equal to the ratio of employable persons with disabilities as compared to the persons without disabilities in the statistical area.

A. **Administrators**

Goal: To identify administrative positions where a disability is not a barrier to performance.

Objective: To place administrators with disabilities in assignments when it would not deter the district's operations.

B. **Teachers**

Goal: To provide opportunities for students to work with teachers who have disabilities in both curricular and extracurricular activities.

Objective: To place teachers with disabilities in assignments when it would not impair the instructional program.

C. **Support Staff - Certificated and Classified**

Goal: To identify positions within the district where a disability does not limit the performance of the prospective staff member.

Objective: To place support staff with disabilities in assignments when it would not deter the district's operations.

Internal Audit and Monitoring System

The superintendent's office, in compliance with WAC 162-12, Pre-employment Inquiry Guide, will record by age, race, sex and other protected groups applicant flow, new hires, promotions, transfer requests, transfers, administrative internships and terminations. An analysis will be made of the internal and external work force availability of aged, persons without disabilities, ethnic minorities and women.

The district will evaluate the effectiveness of the nondiscrimination and affirmative action program and report its status to the board semiannually. Such reports may include recommendations for changes in the affirmative action program goals. The overall responsibility for monitoring and auditing this policy is assigned to the district office. The duties include:

- A. Analysis of the categories of employment in relation to affirmative action goals;
- B. Analysis of work force data and applicant flow;
- C. Maintaining records relative to affirmative action information;
- D. Preparation of semiannual reports of progress toward the goals and recommended changes required to maintain the vitality of the program;
- E. Identifying in a written report to the superintendent any employment practice or policy that is discriminatory or that does not meet the requirements of the affirmative action program; and
- F. Keeping the superintendent advised of the progress in implementing the goals and procedures of this affirmative action program.

Grievance Procedure

To ensure fairness and consistency, the following review procedures are to be used in the district's relationship with its staff with regard to employment problems covered by state and federal equal employment opportunity laws and/or this affirmative action program. No staff member's status with the district will be adversely affected in any way because the staff member utilized these procedures.

- A. **Grievance** means a complaint which has been filed by an employee relating to alleged violations of any state or federal anti-discrimination laws.
- B. **Complaint** means a written charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) Specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or 2) Withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005. Complaints may be submitted by mail, fax, e-mail or hand-delivery to any district, school or to the district compliance officer responsible for investigating discrimination complaints. Any district employee who receives a complaint that meets these criteria will promptly notify the compliance officer.
- C. **Respondent** means the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint. To this end, specific steps will be taken. The district is prohibited by law from intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with their right to file a grievance under this procedure and from retaliating against an individual for filing such a grievance.

A. Informal Process for Resolution

When a staff member has an employment problem concerning equal employment opportunity, he/she will discuss the problem with the immediate supervisor, personnel director or superintendent within 60 days of the circumstances which gave rise to the problem. The staff member may also ask the compliance officer to participate in the informal review procedure. It is intended that the informal discussion will resolve the issue. If the staff member feels he/she cannot approach the supervisor because of the supervisor's involvement in the alleged discrimination, the staff member may directly contact the compliance officer before pursuing formal procedures. If the discussion with the officer or immediate supervisor does not resolve the issue the staff member may proceed to the formal review procedures. During the course of the informal process, the district will notify complainant of their right to file a formal complaint.

B. Formal Process for Resolution

Level One: Complaint to District

The complaint must set forth the specific acts, conditions, or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer will provide the complainant a copy of this procedure. The compliance officer will investigate the allegations within 30 calendar days. The school district and complainant may agree to resolve the complaint in lieu of an investigation. The officer will provide the superintendent with a full written report of the complaint and the results of the investigation.

The superintendent or designee will respond to the complainant with a written decision as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.

The decision of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) whether the district has failed to comply with anti-discrimination laws; 3) if non-compliance is found, corrective measures the district deems necessary to correct it; and 4) notice of the complainant's right to appeal to the school board and the necessary filing information. The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

Any corrective measures deemed necessary will be instituted as expeditiously as possible, but in no event later than 30 calendar days following the superintendent's mailing of a written response to the complaining party unless otherwise agreed to by the complainant.

Level Two - Appeal to Board of Directors

If a complainant disagrees with the superintendent's or designee's written decision, the complainant may file a written notice of appeal with the secretary of the board within ten (10) calendar days following the date upon which the complainant received the response. The board will schedule a hearing to commence by the twentieth (20) calendar day following the filing of the written notice of appeal unless otherwise agreed to by the complainant and the superintendent or for good cause. Both parties will be allowed to present such witnesses and testimony as the board deems relevant and material. Unless otherwise agreed to by the complainant, the board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision. The decision of the board will be provided in a language the complainant can understand, which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act. The decision will include notice of the complainant's right to appeal to the superintendent of public

instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the office of the superintendent of public instruction.

Level Three - Complaint to the Superintendent of Public Instruction

If a complainant disagrees with the decision of the board of directors, or if the district fails to comply with this procedure, the complainant may file a complaint with the superintendent of public instruction.

1. A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the board of directors' decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
2. A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws; 2) The name and contact information, including address, of the complainant; 3) The name and address of the district subject to the complaint; 4) A copy of the district's complaint and appeal decision, if any; and 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.
3. Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board. Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may

provide technical assistance and dispute resolution methods to resolve a complaint.

Level Four - Administrative Hearing

A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office's written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05, RCW.

C. Mediation

At any time during the discrimination complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the discrimination complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.

Mediation must be conducted by a qualified and impartial mediator who may not: 1) Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or 2) Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

D. Preservation of Records

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, will be retained in the office of the district compliance officer for a period of 6 years.



Sexual Harassment of District Staff Prohibited

This district is committed to a positive and productive working environment free from discrimination, including sexual harassment. This commitment extends to all employees and other persons involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation, or at a class training held elsewhere.

Definitions

For purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur student to adult, adult to adult or can be carried out by a group of students or adults and will be investigated by the District even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of district employees by other students, employees or third parties involved in school district activities.

Under federal and state law, the term "sexual harassment" includes:

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communications that interferes with an individual's employment performance or creates an intimidation, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;

- sexual demands when submission is a stated or implied obtaining work opportunity or other benefit;
- sexual demands where submission or rejection is a factor in a work or other school-related decision affecting an individual.

A "hostile environment" for an employee is created where the unwanted conduct is sufficiently severe or pervasive to create a work environment that a reasonable person would consider intimidation, hostile, or abusive.

Investigation and Response

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, the district will promptly investigate to determine what occurred and will take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end sexual harassment, eliminate the hostile environment, prevent its occurrence and, as appropriate, remedy its effects. The district will take prompt, equitable and remedial action within its authority every time a report, complaint and grievance alleging sexual harassment comes to the attention of the district, either formally or informally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly investigate to determine what occurred and take appropriate steps to resolve the situation to the extent that such investigation does not interfere with an on-going criminal investigation. A criminal investigation does not relieve the district of its independent obligation to investigate and resolve sexual harassment.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending staff or third parties involved in school district activities. Anyone else who engages in sexual harassment on school property or at school activities will have their access to school property and activities restricted, as appropriate.

Retaliation and False Allegations

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline

Staff Responsibilities

The superintendent will develop and implement formal and informal procedures for receiving, investigating and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt time lines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives report, informal complaint, or written complaint about sexual harassment is responsible for informing the district's Title IX or Civil Rights Compliance Coordinator. All staff are also responsible for directing complainants to the formal complaint process.

Reports of discrimination and discriminatory harassment will be referred to the district's Title IX/Civil Rights Compliance Coordinator. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

Notice and Training

The superintendent will develop procedures to provide information and education to district staff, parents and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum, sexual harassment recognition and prevention and the elements of this policy will be included in staff and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, parents, volunteers and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduce in each staff, volunteer and parent handbook. Such notices will identify the District's Title IX coordinator and provide contact information, including the coordinator's email address.

Policy Review

The superintendent will make an annual report to the board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, will be included in the report. The superintendent is encouraged to involve staff, volunteers and parents in the review process.

Adoption Date: 7.15



Procedure Sexual Harassment of District Staff Prohibited

The procedure is intended to set forth the requirements of Policy 5011, including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects.

This procedure applies to sexual harassment (including sexual violence) targeted at district employees carried out by other students, employees or third parties involved in school district activities. The district has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

Notice

Information about the district's sexual harassment policy will be easily understandable and conspicuously posted throughout each school building, provided to each employee and reproduced in each staff, volunteer and parent handbook.

In addition to the posting and reproduction of this procedure and Policy 5011, the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at *[insert address of district administrative office]*.

Staff Responsibilities

In the event of an alleged sexual assault, the school principal will immediately inform: 1) the Title IX/Civil Rights Compliance Coordinator so that the district can appropriately respond to the incident consistent with its own grievance procedures; and 2) law enforcement. The principal will

notify the targeted district staff person of their right to file a criminal complaint and a sexual harassment complaint simultaneously.

Confidentiality

If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks that the district not investigate or seek action against the alleged perpetrator, the request will be forwarded for evaluation. The investigator should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.

If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the district not investigate or seek action against the alleged perpetrator, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant's request to have his or her name withheld may limit the district's ability to respond fully to an individual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

Retaliation

Title IX prohibits retaliation against any individual who files a complaint under these laws or participates in a complaint investigation. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, was the subject of the harassment, or against those who provided information as a witness. The district will investigate all allegations of retaliation and take actions against those found to have retaliated.

Informal Complaint Process

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will always notify complainants of their right to file a formal complaint and the process for same. Staff will also direct potential complainants to *Lisa Nelson, Title IX Coordinator ph: 360.484.7121 or lnelson@naselleschools.org*. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

During the course of the informal complaint process, the district will take prompt and effective steps reasonably calculated to end any harassment and to correct any discriminatory effects on the complainant. If an investigation is needed to determine what occurred, the district will take interim measures to protect the complainant before the final outcome of the district's investigation (e.g., allowing the complainant to change academic or extracurricular activities or break times to avoid contact with the alleged perpetrator).

Informal remedies may include:

- An opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;
- Developing a safety plan;
- Separating staff persons; or
- Providing staff and/or student training.

Informal complaints may become formal complaints at the request of the complainant, parent or guardian, or because the district believes the complaint needs to be more thoroughly investigated. The district will inform the complainant how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

Formal Complaint Process

Level One – Complaint to District

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized. At any level in the formal complaint process, the district will take interim measures to protect the complainant before the final outcome of the district's investigation.

The following process will be followed:

- **Filing of Complaint** All formal complaints will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute sexual harassment. The Title IX Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve. The superintendent or Title IX Coordinator may also conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.
- The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) Specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or 2) Withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005.
- Complaints may be submitted by mail, fax, e-mail or hand-delivery to the district Title IX Coordinator, *Lisa Nelson, Superintendent* at 793 State Route 4, 360.484.7121

Inelson@naselleschools.org. Any district employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

Investigation and Response

- The Title IX Coordinator will receive and investigate all formal, written complaints of sexual harassment or information in the coordinator's possession that they believe requires further investigation. The Coordinator will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the Coordinator will provide the complainant a copy of this procedure.
- Investigations will be carried out in a manner that is adequate in scope, reliable and impartial. During the investigation process, the complainant and accused party or parties, if the complainant has identified an accused harasser(s), will have an equal opportunity to present witnesses and relevant evidence. Complainants and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The school district and complainant may also agree to resolve the complaint in lieu of an investigation.
- When the investigation is completed, the Coordinator will compile a full written report of the complaint and the results of the investigation.

Superintendent Response

- The superintendent will respond in writing to the complainant and the alleged perpetrator within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.
- The response of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed ; 3) if sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; 4) notice of the complainant's right to appeal to the school board and the necessary filing information; and 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and other support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).
- The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964. If the complaint alleges discriminatory harassment by a named party or parties, the coordinator will provide the accused party or parties with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
- Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until

the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.

- The district will inform the complainant how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

Level Two -Appeal to Board of Directors

Notice of Appeal and Hearing

- If a complainant disagrees with the superintendent's or designee's written decision, the complainant may appeal the decision to the district board of directors , by filing a written notice of appeal with the secretary of the board within ten (10) calendar days following the date upon which the complainant received the response.
- The board will schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause.
- Both parties will be allowed to present such witnesses and testimony as the board deems relevant and material.

Decision

- Unless otherwise agreed to by the complainant, the board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision.
- The decision will be provided in a language that the complainant can understand which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act.
- The decision will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the office of the superintendent of public instruction.

Level Three - Complaint to the Superintendent of Public Instruction

Filing of Complaint

- If a complainant disagrees with the decision of the board of directors, or if the district fails to comply with this procedure, the complainant may file a complaint with the Superintendent of Public Instruction.
- A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received

written notice of the board of directors' decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.

- A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-sexual harassment laws; 2) The name and contact information, including address, of the complainant; 3) The name and address of the district subject to the complaint; 4) A copy of the district's complaint and appeal decision, if any; and 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.

Investigation, Determination and Corrective Action

- Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board.
- Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.
- All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

Level Four - Administrative Hearing

A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office's written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05, RCW.

Other Complaint Options

Office for Civil Rights (OCR), U.S. Department of Education

OCR enforces several federal civil rights laws, which prohibit discrimination in public schools on the basis of race, color, national origin, sex, disability, and age. File complaints with OCR within 180 calendar days of the date of the alleged discrimination.

206-607-1600 | TDD: 1-800-877-8339 | OCR.Seattle@ed.gov | www.ed.gov/ocr

Washington State Human Rights Commission (WSHRC)

WSHRC enforces the Washington Law Against Discrimination (RCW 49.60), which prohibits discrimination in employment and in places of public accommodation, including schools. File complaints with WSHRC within six months of the date of the alleged discrimination.

1-800-233-3247 | TTY: 1-800-300-7525 | www.hum.wa.gov

Mediation

At any time during the complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.

Mediation must be conducted by a qualified and impartial mediator who may not:

1) Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or 2) Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

Training and Orientation

A fixed component of all district orientation sessions for staff, students and regular volunteers will introduce the elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment. Staff will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure.

Certificated staff will be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will get the portions of this component of orientation relevant to their rights and responsibilities.

Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents.

As part of the information on the recognition and prevention of sexual harassment staff, volunteers, students and parents will be informed that sexual harassment may include, but is not limited to:

- Demands for sexual favors in exchange for preferential treatment or something of value;
- Stating or implying that a person will lose something if he or she does not submit to a sexual request;
- Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;
- Making unwelcome, offensive or inappropriate sexually suggestive remarks comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender or conduct;
- Using derogatory sexual terms for a person;
- Standing too close, inappropriately touching, cornering or stalking a person; or
- Displaying offensive or inappropriate sexual illustrations on school property.

Policy and Procedure Review

Annually, the superintendent or designee will convene an ad hoc committee composed of representatives of certificated and classified staff, volunteers, students and parents to review the use and efficacy of this policy and procedure. The compliance officer will be included in the committee. Based on the review of the committee, the superintendent will prepare a report to the board including, if necessary, any recommended policy changes. The superintendent will consider adopting changes to this procedure if recommended by the committee.

Adoption Date: 7.15

COLLECTIVE BARGAINING

The board encourages and promotes a good and fair working relationship among the staff. The board recognizes the right of staff to join labor organizations of their own choosing and to be represented by such organizations in the negotiations of such matters and according to such procedures as may be required by law or agreement of the parties. The board shall engage in collective bargaining with the properly designated bargaining units and shall abide by collective bargaining agreements reached with such properly designated bargaining units.

The chief negotiator representing the district shall be appointed by the board. The chief negotiator shall advise and inform the board regarding negotiations' progress and shall negotiate within parameters established by the board. Any agreements reached by the chief negotiator shall not be binding upon the board until formally approved by the board.

Cross Reference:	Board Policy 5021	Applicability of Personnel Policies
Legal References:	RCW 41.56.060	Determination of bargaining unit —Bargaining representative
	RCW 41.59.070	Election to ascertain exclusive bargaining representative, when —Run off election — Decertification election

APPLICABILITY OF PERSONNEL POLICIES

Except where expressly provided to the contrary, personnel policies apply to the staff of the district.

However, where there is a conflict between the terms of a collective bargaining agreement and the district's policy, the law provides that the terms of the collective bargaining agreement shall prevail in regard to the staff covered by that agreement.

When a matter is not specifically provided for in the appropriate negotiated contract, the district's policies shall govern.

Cross Reference: Board Policy 5020 Collective Bargaining
Legal References: RCW 41.59.910 Construction of [public employment] chapter —
Effect on existing agreements — Collective
bargaining agreement prevails where conflict

Contracts

A. Certificated Staff Contracts

The district will write contracts for certificated staff for a period not to exceed one year. Upon recommendation of the superintendent and approval by a majority of the board of directors, the district will offer a certificated staff contract to the recommended and approved applicant. Such contract will state the salary to be paid based upon the applicable salary schedule, the number of days of service, effective date, and term of the contract.

The district will issue a “provisional contract” to first, second, and third year certificated teaching staff and other non-supervisory certificated staff who are “provisional employees,” subject to non-renewal of employment as provided by law.

Contracts with retire-rehires and persons replacing certificated staff on leave are not subject to the continuing contract law, and will include the following rider: “It is understood and agreed that the staff member is employed pursuant to the provisions of RCW 28A.405.900. In accordance with the provisions of RCW 28A.405.900, this contract expires automatically at the end of the contract terms set forth herein and is not subject to the provisions of RCW 28A.405.210.”

B. Classified Staff Contracts

Upon the recommendation of the superintendent, contracts for selected classified staff may be in writing and/or for a specific period of time not to exceed one year. Otherwise, the employment of classified staff will be on a month-to-month basis commencing from the first day of work

c. Supplemental Contracts

The district may issue supplemental contracts, which are not subject to the continuing contract statute, for services to be rendered in addition to a staff member’s normal “full-

time” assignment. Supplemental contracts will not exceed one year and, if not renewed, will not constitute an adverse change in contract status.

D. Consultants

The district may obtain staff consultant services when unique knowledge or technical skills are needed. A description of desired services and an estimate of time and costs will be submitted to the superintendent or designee for action. The superintendent or designee will determine compensation but normally, compensation may not exceed that paid to a regular staff member with comparable duties. The superintendent or designee determines the honorarium paid to a consultant, taking into account cost incurred and benefits derived therefrom. The district will determine the compensation classification of a consultant on a personal services contract or payroll in compliance with the guidelines of the Internal Revenue Service.

E. Paraeducators

All paraeducators must be 18 years of age, must hold a high school diploma or a recognized equivalent, and must have done one of the following:

1. Earned 72 quarter credits or 48 semester credits at an institution of higher learning;
2. Obtained at least an associate’s degree;
3. Received a passing grade on the education testing service paraeducator assessment; or
4. Completed a registered apprenticeship program.

Adoption Date: April 2018

Classification: **Essential**

Revised Dates: **04.98; 10.01; 8.03; 10.10; 12.11; 01.18**

Drug-Free Schools, Community, and Workplace

The board has an obligation to staff, students, and citizens to take reasonable steps to provide a reasonably safe workplace and to provide safety and high quality performance for the students who the staff serve.

For purposes of this policy, the “workplace” is defined to mean the site for the performance of work done, which includes work done in connection with a federal grant. The “workplace” includes any district building or any district property; any district-owned vehicle or any other district-approved vehicle used to transport students to and from school or school activities; and off district property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the district which could also include work on a federal grant.

Prohibited Behavior

To help maintain a drug-free school, community, and workplace, the following behaviors will not be tolerated:

- A. Reporting to work or the workplace under the influence of alcohol, illegal and/or controlled substances including marijuana (cannabis) and anabolic steroids.
- B. Using, possessing, transmitting alcohol, illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids, in any amount, in any manner, and at any time in the workplace.
- C. Any staff member convicted of a crime attributable to the use, possession, or sale of illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids, will be subject to disciplinary action, including termination.
- D. Using district property or the staff member's position within the district to make or traffic alcohol, illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids.
- E. Using, possessing or transmitting illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids.

Notification Requirements

Any staff member who is taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her job. If the use of a medication could compromise the safety of the staff member, other staff members, students or the public, it is the staff member's responsibility to use appropriate personnel procedures (e.g., use leave, request change of duty, or notify his/her supervisor of potential side effects) to avoid unsafe workplace practices. If a staff member notifies his/her supervisor that the use of medication could compromise the safe performance of his/her job, the supervisor, in conjunction with the district [insert district department/office (e.g. human resources)], then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

As a condition of employment, each employee will notify his or her supervisor of a conviction under any criminal drug statute violation occurring in the workplace. Such notification will be provided no later than 5 days after such conviction. The district will inform the federal granting agency within 10 days of such conviction, regardless of the source of the information.

Disciplinary Action

Each employee will be notified of the district's policy and procedures regarding employee drug activity at work. Any staff member who violates any aspect of this policy will be subject to disciplinary action, which may include termination. As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the district, at the employee's expense. Nothing in this policy will be construed to guarantee reinstatement of any employee who violates this policy, nor does the district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.

The district may notify law enforcement agencies regarding a staff member's violation of this policy at the district's discretion or take other actions as it the district deems appropriate.

Cross References: 3423 – Parental Administration of Marijuana for Medical Purposes
 4215 - Use of Tobacco, Nicotine Products, and Delivery Devices
 5280 - Separation from Employment

Legal References: RCW 69.50.435 Violations committed in or on certain public

places or facilities — Additional penalty — Defenses —
Construction — Definitions
41 U.S.C. 8103 Drug Free Workplace Requirements for Federal
Grant Recipients
21 U.S.C. 812 Controlled Substance Act
20 U.S.C 7101-71187 Safe and Drug-Free Schools and
Communities Act [as amended by Title IV – 21st Century
Schools]

Management Resources: 2019 – July Issue
2015 - December Issue
2013 - February Issue
2011 - December Issue
Policy News, February 1999 Bus drivers still tested for marijuana

Adoption Date: 09/17/2019
Classification: **Essential**
Revised Dates: **04.98; 12.11; 02.13; 12.15; 07.19**

FEDERAL HIGHWAY ADMINISTRATION MANDATED DRUG AND ALCOHOL TESTING PROGRAM

The board directs the superintendent to establish programs and procedures as mandated by the Federal Motor Carrier Administration (FCMA) controlled substances including marijuana (cannabis) and alcohol testing rules.

Prohibited Alcohol And Controlled Substance-Related Conduct

The following alcohol and controlled substance-related activities are prohibited by the district for drivers required to possess a commercial driver's license (CDL) as part of their job responsibilities. Violations will result in appropriate corrective action ranging from removal from the performance of safety-sensitive functions up to and including discharge.

- A. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration in excess of the standard set by the FHWA.
- B. Being on duty or operating a vehicle while the driver possesses alcohol.
- C. Using alcohol while performing safety-sensitive functions.
- D. When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- E. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements.
- F. Reporting for duty or remaining on duty when using any controlled substance, except when instructed by a physician who has advised the driver and the district that the substance does not adversely affect the driver's ability to safely operate a vehicle. Drivers are required to inform the district of any therapeutic drug use.
- G. Reporting for duty, remaining on duty or driving if the driver tests positive for controlled substances.

No supervisor having actual knowledge of the above violations will permit a driver to perform or continue to perform safety-sensitive functions.

Cross References: Board Policy 5201 Drug-Free Schools, Community and Workplace
Board Policy 5203 Staff Assistance Program
Board Policy 5281 Disciplinary Action and Discharge

Legal Reference: 49 CFR § 40 Procedures for transportation workplace drug
and alcohol testing
49 CFR §§ 382 Controlled substances and alcohol use and
testing

Management Resources:

Policy News, April 2012 Federal Motor Carrier Safety Administration
Mandate
Policy News, December 2001 Federal Government Amends Bus Driver Drug
Testing
Policy News, February 1999 Bus drivers still tested for marijuana

FEDERAL HIGHWAY ADMINISTRATION MANDATED DRUG AND ALCOHOL TESTING PROGRAM

Testing Requirements

The following identify the occasions on which a driver shall be subject to alcohol or controlled substances testing, the superintendent is responsible for the development and implementation of procedures for conducting the tests and administering the exemptions consistent with the federal rules.

Pre-employment testing: Prior to the first time a driver performs a safety-sensitive function for the district, the driver shall undergo testing for controlled substances. This testing requirement may be waived under FHWA rules for CDL drivers recently employed elsewhere for whom testing records are available from their previous employers.

A. Post-accident testing: Each surviving driver of an accident, as defined by the FHWA, shall be tested for alcohol and controlled substances.

B. Random testing: Annually the district will arrange for the unannounced random alcohol and controlled substances testing of its drivers. Fifty percent (50%) of the district's drivers must be randomly selected for controlled substances testing each year, and 25% of its drivers for alcohol testing (or whatever level of testing is required in a given year by the FHWA). Alcohol testing under this program shall take place just prior to, during or immediately after the driver engages in a safety-sensitive function for the district.

C. Reasonable suspicion testing: A driver must submit to alcohol or controlled substance testing whenever a trained supervisor has a reasonable suspicion of alcohol misuse or controlled substance use based on specific, contemporaneous and articulable observations concerning the appearance, behavior, speech or bodily odors of the driver. Observations related to using alcohol must be made just prior to, during or immediately after the driver engages in a safety-sensitive function for the district, and the alcohol test must be given within eight hours following the determination of reasonable suspicion.

D. Return-to-duty testing: If a driver is to be returned to performing safety-sensitive functions for the district after violating this policy or the federal regulations, the driver shall be evaluated by a substance abuse professional (SAP) who shall determine what assistance, if any, the driver needs in resolving problems associated with alcohol misuse and use of controlled substances. If a driver is to be returned to performing safety-sensitive functions for the district following a violation of this policy or the federal regulations, the driver shall first be evaluated by a SAP to determine that the driver has properly followed any rehabilitation proscribed. Before a driver could be returned to performing safety-sensitive functions for the district following a violation of this policy and/or the federal regulations, the driver shall undergo a return-to-duty alcohol and/or controlled substances test resulting in an alcohol concentration below 0.02 concentration or a negative controlled substances test.

F. Follow-up testing: Any driver that continues performing safety-sensitive functions for the district, following a determination of the alcohol or controlled substances prohibited conduct,

associated with alcohol misuse and/or the use of controlled substances, will be subject to a follow-up alcohol testing shall be conducted only just prior to, during or immediately after the driver performs safety-sensitive functions or drug testing, as directed by a SAP.

Procedure 5202P

Record Retention And Reporting

Records collected under this policy will be secured and retained with controlled access and for the time periods established by the federal regulations. The data collected will be reported as required by the federal regulations.

Education, Training And Referral Services

Educational materials that explain the requirements of policy 5202 and the federal program will be distributed to each driver prior to the start of the testing program and to each driver subsequently hired or transferred into a position covered by this policy. Each driver after receiving a copy of the materials, shall sign a certificate of receipt and the district shall maintain the original of the receipt. The collective bargaining representative of the drivers, if any, shall be notified of the availability of this information. The educational materials shall include:

- A. A copy of this policy and subsequent procedures;
- B. The name of the person designated to answer questions about the materials;
- C. The categories of employees covered by the policy;
- D. A description of safety-sensitive functions, so that drivers will know which part of their tasks will be covered by this policy;
- E. A specific description of conduct prohibited by this policy and the federal program;
- F. The circumstances under which a driver is subject to testing;
- G. The procedures used in the testing program, especially those that protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver;
- H. The requirement that drivers must submit to testing required by this policy and the federal program, and a description of what constitutes refusal to submit to required testing and the consequences of refusal;
- I. The consequences for drivers who violate this policy and the federal program, including immediate removal from conducting safety-sensitive functions;
- J. The consequences for drivers found to have alcohol concentrations between 0.02 and 0.04; and
- K. Information about the effects of alcohol and controlled substances on an individual's health, work and personal life and methods of intervening when a problem with alcohol or a controlled substance is suspected, including confrontation, referral to the staff assistance program and referral to management.

Supervisors designated to determine if reasonable suspicion exists that a driver is under the influence of alcohol or controlled substances must have at least sixty minutes of training on alcohol misuse and at least sixty minutes of training on use of controlled substances. The training shall cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controlled substances.

The employed driver who violates this policy or the federal regulations shall be informed of resources available for evaluation and resolving problems associated with the misuse of alcohol and use of controlled substances, including the names, addresses, and telephone

numbers of SAPs and counseling and treatment programs. Costs incurred by the driver for evaluation and/or rehabilitation are the driver's responsibility (other policies may apply).

061912

Policy No. 5203
Personnel

STAFF ASSISTANCE PROGRAM

The district will maintain, as revenues permit, a staff assistance program designed to provide support to staff members who are experiencing a job performance problem. A staff assistance program committee may be established to assist in the implementation of this policy and make program recommendations.

A wide range of problems not directly associated with a job function may affect the staff member's job performance. These problems may result from alcohol abuse or alcoholism; other drug abuse; physical, mental, or emotional illness; personal problems such as marital, family, financial, or legal difficulties; or any combination of these problems.

The staff assistance program will provide professional and confidential assistance to staff members and their families seeking assistance.

Participation in the staff assistance program will not jeopardize employment or job promotion, nor shall such participation substitute for employer action(s) regarding evaluation, probation, and/or termination as provided for under collective bargaining agreements or board policies. The program will be evaluated on an annual basis.

Cross Reference: Board Policy 5521 Teacher Assistance

Staff Assistance Program

In order to achieve the objective of enhancing the personal and on-the-job life of a staff member through the staff assistance program, the district will strive to:

- A. Provide confidential, professional, and appropriate assistance to staff members and their immediate family members within the scope of the program policy;
- B. Promote education and awareness that alcoholism and chemical dependency are diseases for which there is effective treatment and rehabilitation;
- C. Promote adequate treatment coverage for chemical dependency by district-approved group insurance plans as for any other disease under these plans;
- D. Provide training in order to increase the supervisor's awareness in identifying changes in staff member's behavior and performance; and
- E. Provide training regarding the supervisor's role in relation to troubled staff members and the utilization of the staff assistance program.

Procedures are as follows:

- A. Referrals may be made by a staff member, family member or a supervisor;
- B. A staff member exhibiting continuing job performance problems not readily corrected by usual administrative procedures would be appropriate for referral to the staff assistance program.

When such a staff member is identified, the supervisor will contact the staff member organization representative, if applicable, to inform him/her of the conference with the staff member. The supervisor will inform the staff member of his/her right to determine whether the organization representative will be present at the conference. The staff member may invite the organization representative to the scheduled conference. The conference will be restricted to issues of job performance.

Supervisors will avoid expressing opinions or judgments regarding diagnosis or causes;

- C. After the supervisor reviews job performance deficiencies with the staff member, the supervisor will inform the staff member of professional and confidential services available through the district's staff assistance program;
- D. The staff member may choose to accept or reject the offer to meet with the district's staff assistance coordinator for confidential help and referral. If the staff member rejects the offer and the job performance problems do not recur after the conference, the issue is resolved. If the staff member chooses to participate in the staff assistance program, then the district's staff assistance coordinator will arrange a referral for the staff member to a district-retained professional agency for assessment and treatment.

E. If the staff member rejects the offer, and the supervisor and the staff member organization representative, if applicable, recognize that the job performance problem is continuing and the staff member's performance is not satisfactory, the next step will be to offer the staff member a firm choice between accepting the assistance offered by the

Page 2 of 2
Procedure 5203P

program or be confronted with whatever action is appropriate within the framework of existing collective bargaining agreements or board policies;

F. The decision to request and/or accept assistance through the staff assistance program is the personal responsibility of the staff member; and

G. All records resulting from an individual's involvement in the staff assistance program will be confidential unless the staff member provides a written release of information.

ASSIGNMENT AND TRANSFER OF CERTIFICATED ADMINISTRATIVE STAFF

Administrative staff are responsible to the board through the superintendent. The board shall approve the initial assignment of administrative staff at the time of employment. All such assignments will be consistent with the endorsement(s) of the respective principals. The superintendent shall have the authority to reorganize and/or rearrange the specific responsibilities of the administrative and supervisory staff in a manner that will provide for the effective operation of the district. The superintendent shall, in considering any assignment or transfer, base a decision on such factors as the desired performance and/or expectations inherent in the position, the staff member's background and preparation, the staff member's past performance, and the impact on other facets of the district's operations.

A certificated staff member who is being transferred at the expiration of his/her employment contract to any administrative or nonadministrative position for which the annual compensation is less than the position currently held by the administrator shall be notified in writing by May 15, or June 1 if the omnibus appropriations act has not been passed by the legislature by May 15, of the reason for the transfer and the position to which he/ she will be transferred. If written request is made to the board within 10 days, the staff member shall be given the opportunity to meet informally with the board in executive session to refute any facts upon which the determination of transfer was made and to support his/her request to reconsider the decision of the superintendent. The board shall render its final decision within 10 days of the informal meeting.

Principals are not subject to transfer to a subordinate position after three consecutive years of employment as a principal in the district or after the first year in the case of a principal who has been employed for three or more consecutive years as a principal in another district in the state of Washington.

Legal References: RCW 28A.405.230 Transfer of administrator to subordinate
certificated position

Adoption Date: 082002
Naselle-Grays River Valley School District

Policy No. 5222
Personnel

JOB-SHARING STAFF MEMBERS

A job-sharing assignment is the shared performance of the duties of one full-time, regular position by employees.

The superintendent is responsible for recommending to the board when the best interests of the district would be served by creating a job-sharing assignment for a particular position. The district reserves the authority to:

- A. Determine the number of job-sharing positions, if any, within the district;
- B. Require job-sharing employees to attend staff training or other staff development activities at one-half of full compensation;
- C. Abolish any job-sharing assignment, or change a job-sharing position to a full time position held by one employee, at the sole discretion of the district;
- D. Consider any request to create a job-sharing position in a position currently held by one employee, or vice versa;
- E. Require job-sharing staff members to work full-time in the event of the termination or resignation of one of the job-sharing staff members, or until such time as a replacement can be hired, at the sole discretion of the district.

Employees sharing a position shall sign a job-sharing contract to be developed by the superintendent.

The contract shall identify contingencies which may arise during the course of employment including, but not limited to, absence or resignation of one of the job-sharing employees, computation of employee benefits, and responsibility for participation in staff meetings and committees. The purpose of such contract is to address potential conflicts in an equitable manner in advance of actual conflicts.

The conditions provided by this policy are not intended to discourage job sharing nor to impose disproportionate burdens upon job-sharing staff members. The superintendent shall establish job-sharing procedures which describe the duties, responsibilities, salaries and benefits for individuals sharing a position.

Cross References: Board Policy 5000 Recruitment and Selection of Staff
Board Policy 5005 Employment: Disclosures, Certification,
Assurances and Approval
Board Policy 5211 Transfers

Legal References: RCW 28A.400.300 Hiring and discharging employees —Leaves for employees — Seniority and leave benefits, retention upon transfers between schools

28A.405.070 Job Sharing

Adoption Date: 031902

Naselle-Grays River Valley School District

JOB DESCRIPTIONS/RESPONSIBILITIES

A. Duties of Classified and Certificated Staff

Staff are subject to the policies of the district, provisions of staff agreements in effect, state board of education regulations, state superintendent of public instruction regulations and other applicable state and federal law.

Employees shall be directly responsible to the principal at their respective building for implementing the policies, instructions, rules and regulations of each principal, the superintendent and the board of directors. It shall be the duty of each employee to know the rules, policies and regulations of the school and the school district.

The superintendent shall be responsible for developing administrative procedures to assure that staff know what is expected of them and how these expectations may be achieved. Each staff member shall receive a job description that identifies the essential functions of the job and which shall also serve as a basis for evaluation. Job descriptions shall be reviewed annually and revised when appropriate.

B. Principals and Program Administration

The district shall hold principals and other administrative staff accountable for the proper and efficient conduct of classroom teaching in their schools which will meet the individual and collective needs of the particular students enrolled. Principals shall achieve and maintain standards of excellence in the instructional program so that each student exposed to this program derives the greatest academic and personal benefit from the learning experience. They have primary responsibility for the improvement of instruction in their programs. A major portion of the principal's time is to be spent with staff, including classroom observations, staff evaluations, departmental meetings, and a review of instructional materials and new and promising innovations in teaching. A principal must possess the knowledge and skill necessary to evaluate the performance of staff members in accordance with district evaluation procedures. The superintendent shall be responsible for determining the evaluation skill and/or needs in considering candidates for the position of principal as well as providing an on-going development program related to the needs of all principals.

C. Duties of Administrative Staff

As authorized by the superintendent, administrative staff shall have full responsibility for the day-to-day administration of the area to which they are assigned. Administrative staff are governed by the policies of the district and are responsible for implementing the administrative procedures which relate to their assigned responsibilities.

Each administrator's duties shall include but not be limited to:

1. Planning for the improvement of the program for which he/she is responsible;
2. Evaluating that program regularly;

3. Recommending to the superintendent, through the management team, budgetary, program, staff and other changes that will enhance the program;

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4. Advising the superintendent, through the management team, of the impact of proposed policies or other administrative actions on the program for which he/she is responsible;
5. Evaluating the performance of those staff reporting directly to him/her;
6. Assisting his/her subordinates to improve their performance; and
7. Promoting effective working relationships with students, staff and patrons of the district.

The superintendent shall define the specific responsibilities of administrative staff through a written job description. Each administrator shall submit written goal statements to his/her supervisor by October 15.

Cross References: Board Policy 5240 Evaluation of Staff
Legal References: RCW 28A.150.240 Basic Education Act of 1977 —Certificated teaching and administrative staff as accountable for classroom teaching — Scope — Responsibilities — Penalty
28A.400.100 Principals and vice principals —Employment of — Qualifications —Duties
28A.400.110 Principal to assure appropriate student discipline
28A.405 Teachers — General Provisions
28A.405.100(2) Minimum criteria for the evaluation of certificated employees, including administrators — Procedure —Scope — Penalty
28A.405.230 Conditions and contracts of employment — Transfer of administrator to subordinate certificated position —Procedure
WAC 180-44 Teacher's Responsibilities
42 U.S.C. SS 12101-12213 Americans with Disabilities Act (ADA)

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Naselle-Grays River Valley School District

Certificated and Classified Staff Job Descriptions

Job descriptions are maintained in the district office. A job description shall be provided to each staff member at the time of employment, when the staff member assumes a new position and when a position is modified or at any time upon the request of the staff member. Each job description shall include the essential functions of the job.

When substantive changes in the assignment occur, the staff member and supervisor will list the tasks that comprise the job and determine the skills, personal characteristics, educational back-ground and training necessary for the employee to perform successfully. In order to accomplish this task, the staff member and supervisor will be asked to:

- A. Define the job. (What will or does the staff member do?)
- B. Identify the essential functions of the job.
- C. Arrange the duties in terms of the percentage of time spent.
- D. Explain the nature and extent of the supervision and guidance that is rendered to others.
- E. State how and to what extent the actions, recommendations and decisions of the staff member affect the organization or public.
- F. Describe the supervision and guidance received in the performance of the assignment.
- G. Describe the degree to which the staff member must be a self-starter, exercise judgment and create solutions to problems.
- H. State the knowledge, skills and abilities required by the job.
- I. Identify personal contacts and/or interactions other than with supervisors or subordinates.

When a position is being created or a large number of staff members occupy similar positions, the supervisor shall be responsible for developing a job description using the guidelines included in the preceding section. The supervisor will seek reactions from the staff members who presently occupy the position to verify the accuracy of the statements. Job descriptions shall be prepared with the following format:

- Title of Position
- Qualifications (minimum education, certification and other qualifications)
- Reports to (title of immediate supervisor)
- Supervises (if applicable, titles of those who are supervised directly)
- Job Goal (the purpose of the job as it relates to the district)
- Performance Responsibilities (itemized list of the tasks, duties and responsibility to fulfill job in all its dimensions)
- Essential Functions of the Job
- Terms of Employment (time, classification or placement on salary schedule)
- Evaluation (reference to evaluation procedure criteria and form)

Principals and Program Administration

In conformance with state law, rules and regulations, principals shall be responsible for:

- A. Implementing the district's prescribed curriculum and enforcing the procedures of the district, the state superintendent of public instruction and the state board of education, taking into due consideration individual differences among students, and maintaining and rendering appropriate records and reports.

B. Maintaining good order and discipline in school buildings and playgrounds at all times.

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C. Holding students accountable for any disorderly conduct in school.

D. Requiring excuses from parents of minor students in all cases of absence, tardiness or early dismissal.

E. Giving careful attention to the maintenance of a safe and healthful atmosphere in the classroom, hallways and playground.

F. Giving careful attention to the safety of the student in the classroom and reporting any questionable or unsafe conditions.

G. Providing for the evaluation of each student's educational growth and development and making periodic reports to parents and other administrators.

H. Supervising and evaluating all staff which are assigned to the building.

I. Making recommendations to the superintendent regarding appointment, assignment, promotion, transfer, probation or dismissal of all staff assigned to their attendance area.

J. Submitting recommendations to the superintendent regarding the fiscal needs required to maintain and improve the instructional program for their attendance area.

K. Ensuring that the provisions of the collective bargaining agreement are followed.

L. Maintaining effective communications with student, parents and staff.

M. Monitoring the expenditure of all district and ASB funds.

N. Maintaining the equipment, facilities and grounds of the school plant.

Failure to carry out such requirements as set forth above shall constitute sufficient cause for discharge.

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LENGTH OF WORK DAY

Regular building hours for teachers shall be one-half hour before school starts to one-half hour after school ends including a 30-minute duty-free lunch period. The starting and dismissal times, which may vary from school to school, shall be determined by the district.

Fulfilling professional responsibilities will often require that teachers spend time outside of building hours. Such professional responsibilities include:

- A. Preparing for instruction of classes;
- B. Consulting with students when necessary;
- C. Consulting with parents when it is not possible for the parent to meet with the teacher during building hours;
- D. Participating on curriculum development committees leading towards the improvement of the educational program;
- E. Attending staff meetings including in-service training provided by the district in the area of teaching skills needing improvement;
- F. Supervising and directing co-curricular activities not specifically included in the district's co-curricular program; and,
- G. Participating in such other activities that pertain to the district's educational program.

Unless otherwise specified, the work-day for certificated staff assigned to the district administrative center and all classified staff shall be 8 hours per day exclusive of the lunch period.

A classified hourly staff member shall be paid at the rate of one and one-half times the salary schedule rate when he/she works for more than 40 hours during the regular work week. The regular work day shall include one 15 minute break for each four hours of work. A lunch period of not to exceed one hour shall be scheduled but shall not be counted for pay purposes. The district shall be responsible for establishing the work day schedule for each classified staff member.

In the event a supervisor requests that a staff member work beyond the specified working hours and thus exceeds the 40 hours during the established work week, the district may grant, at the staff member's request, compensating time off in lieu of overtime pay. A staff member may accumulate up to 240 hours of compensating time. When the staff member reaches the 240-hour limit, he/she must either take compensating time off or receive pay for such excess hours.

Custodial/maintenance and office staff shall report for work when schools are closed for bad weather when required by the superintendent or designee.

Legal References: 29 USC Ch. 8
201-216 Fair Labor Standards Act

RCW	49.46.130	Minimum rate of compensation for employment in excess of forty hour work week — Exceptions
RCW	49.46.120	Chapter establishes minimum Standards and is supplementary to other laws— more favorable standards unaffected
	28A.405.140	In-service training for teacher may be required after evaluation
WAC	180-44	Teachers' responsibilities
	296-128-550	Regular rate of pay
	296-128-560	Compensating time off in lieu of overtime pay

Length of Work Day

Overtime and/or Compensatory Time

To comply with the Fair Labor Standards Act and the laws and rules of the State of Washington, the following procedures shall be established:

A. Exempt or non-exempt status: All certificated staff are exempt from the 40-hour work week. The district will determine the status of classified employees based upon the criteria established for defining executive (WAC 296-128-520) or professional (WAC 296-128-530) status and any additional FLSA standards.

B. Work week: Seven consecutive 24-hour periods make up the work week. Staff members are entitled to 1-1/2 times the regular rate of pay for all hours worked in excess of 40 hours per week. A staff member may elect to take compensating "time off" (straight time) in lieu of overtime pay. Compensating "time off" shall be at the rate of 1-1/2 times the overtime hours worked or the staff member may accumulate up to 240 hours of compensating time at which time the staff member must either take compensating "time off" or receive pay for such excess hours. Staff members shall not perform any work during lunch periods or before or after work hours regardless of the voluntary nature of their work. Staff members who violate this regulation are subject to disciplinary action.

C. Travel time: Travel time to a meeting is compensable if done in a private vehicle and when it is required by the district.

D. Meal periods: Staff members shall not perform any duties during the employee's meal period.

E. Non-working time: Time between shifts shall be free of responsibilities or obligations. Standby time can be negotiated but must be at the rate of the minimum wage or more.

F. Records: Records must be kept for a minimum of three years. A staff member's signature must appear on the time slip or sheet, which shows the daily arrival and departure time.

U. S. Department of Labor posters must be posted at each site.

Evaluation of Staff

The board recognizes that the professional growth and evaluation of individual employees is important to improve the effectiveness and efficiency of the school district. Staff is expected to perform the duties identified in their job descriptions, in addition to any other responsibilities that may be assigned by their supervisor.

Pursuant to state law implementing the Professional Growth and Evaluation System, the board will adopt a schedule for implementation of the revised evaluation system that transitions a portion of classroom teachers, principals and assistant principals in the district to the revised evaluation system each year beginning no later than the 2013-14 school year, until all classroom teachers and principals are being evaluated under the revised evaluation system no later than the 2015-16 school year.

The board will also adopt a revised evaluative criteria and a four-level rating system for all certificated classroom teachers, certificated principals and assistant principals. The evaluation system will include the minimum criteria developed by the Superintendent of Public Instruction. The four-level rating system will describe the performance of certificated classroom teachers, certificated principals and assistant principals along a continuum that indicates the extent to which evaluative criteria have been met or exceeded. Student growth data, defined as the change in student achievement between two points in time, must be a substantial factor in the evaluation process for three of the criteria and must be based on multiple measures, including classroom, school, district and state-based tools.

Beginning with the 2015-16 school year, evaluation results for certificated classroom teachers, certificated principals and assistant principals must be used as one of multiple factors in making human resource and personnel decisions. Human resource decisions include but are not limited to: employee assignment, including the consideration of an agreement to an assignment by an appropriate teacher, principal and superintendent and reduction in force. The district will not be limited in its ability to collectively bargain how the multiple factors will be used in making human resource and personnel decisions, but the evaluation results must be a factor.

Certificated Classroom Teachers

“Certificated classroom teacher” means an employee who provides academically-focused instruction to students and holds one or more of the certificates pursuant to WAC 181-79A-140(1) through (3) and (6)(a) through (e) and (g).

The performance of certificated classroom teachers will be observed twice a year, for a total observation time of not less than sixty (60) minutes. New staff will be observed for the purpose of evaluation at least once for a total observation time of not less than thirty (30) minutes within ninety (90) calendar days after employment. An employee in the third year of provisional status will be observed at least three times for a total observation time of not less than ninety (90) minutes.

All certificated classroom teachers will receive a comprehensive summative evaluation at least once every four years. A comprehensive summative evaluation assesses all eight evaluation criteria and all criteria contribute to the comprehensive summative evaluation performance rating. A certificated classroom teacher with four years of satisfactory evaluations in the district may be transitioned into the revised evaluation system using a focused evaluation, and will then be evaluated on the four year cycle for comprehensive evaluation.

In the years when a comprehensive summative evaluation is not required, certificated classroom teachers who received a comprehensive summative evaluation performance rating of Level 3 or 4 in the previous school year will

receive a focused evaluation. A focused evaluation includes an assessment of one of the eight criteria selected for a performance rating plus professional growth activities specifically linked to the selected criteria.

A certificated classroom teacher whose performance does not meet minimum requirements of the new or existing RCW, whichever is applicable to that staff member, will be notified in writing of the specific deficiencies and afforded a reasonable program for improvement.

Certificated Principals and Assistant Principals

“Certificated principal,” “principal,” and “assistant principal,” mean an employee who supervises the operation and management of a school as provided by RCW 28A.400.100 and holds certificates pursuant to WAC 181-79A-140(4)(a) or (6)(h). Due to the importance of instructional leadership and assuring rater agreement among evaluators, particularly those evaluating teacher performance, school districts are encouraged to conduct comprehensive summative evaluation of principal performance on an annual basis.

A comprehensive summative evaluation assesses all eight evaluation criteria and all criteria contribute to the comprehensive summative evaluation performance rating. The following will receive an annual comprehensive summative evaluation: 1) principals in the first three consecutive school years of employment as a principal, 2) principals previously employed as a principal by another school district in the state of Washington for three or more consecutive school years and in the first full year as a principal in the school district and 3) any principal who received a comprehensive summative evaluation performance rating of Level 1 or Level 2 in the previous school year.

In the years when a comprehensive summative evaluation is not required, staff who received a comprehensive summative evaluation performance rating of Level 3 or 4 in the previous school year is required to receive a focused evaluation. A focused evaluation includes an assessment of one of the eight criteria selected for a performance rating plus professional growth activities specifically linked to the selected criteria.

A principal whose performance does not meet minimum requirements will be notified in writing of the specific deficiencies and afforded a reasonable program for improvement.

Certificated Support Personnel

“Certificated support personnel” and “certificated support person” mean a certificated employee who provides services to students and holds one or more of the education staff associate (ESA) certificates pursuant to WAC 181-79A-140(5). ESA certification includes: school speech pathologists or audiologists, school counselors, school nurses, school occupational therapists, school physical therapists, school psychologists, and school social workers.

Certificated support personnel are considered non-classroom teachers for purposes of the Professional Growth and Evaluation System and are not subject to the four-level rating system. The superintendent will establish a revised evaluation process using the minimum criteria for certificated support personnel developed by the Superintendent of Public Instruction: 1) Knowledge and scholarship in a specialized field; 2) Specialized skills; 3) Management of special and technical environment; 4) The support person as a professional; and 5) Involvement in assisting students, parents and educational personnel.

Other Administrative Staff

The performance of administrative staff other than certificated principals and assistant principals as referenced in the section above will be evaluated at least once per year.

Classified Staff

The performance of classified staff will be evaluated at least once per year. Except as otherwise developed in accordance with the duty to bargain in chapter 41.56 RCW, the evaluative criteria for classified staff will be based upon the job description of the specific assignment.

Cross Reference:

- [Job Descriptions/Responsibilities Policy 5230](#)
- [Termination of Employment Policy 5280](#)
- [Staff Development Policy 5520](#)

Legal Reference:

- Principals and vice principals –Employment of—Qualifications—Duties [RCW 28A.400.100](#)
- Minimum criteria for the evaluation of certificated employees, including administrators — Procedure — Scope — Models — Penalty [RCW 28A.405.100](#)
- Conditions and contracts of employment – Nonrenewal of provisional employees –Notice--Procedure [RCW 28A.405.220](#)
- Adverse change in contract status of certificated employee –Determination of probable cause –Notice—Opportunity for hearing [RCW 28A.405.300](#)
- Evaluations — Legislative findings [RCW 28A.405.110](#)
- Training for evaluators [RCW 28A.405.120](#)
- Training in evaluation procedures required [RCW 28A.405.130](#)
- Types of certificates [WAC 181-79A-140](#)
- Professional Growth and Evaluation of School Personnel [WAC 392-191A](#)

Management Reference:

- TPEP: Revisions to Professional Growth and Evaluation of School Personnel [Policy & Legal News, April/May 2013](#)
- Professional Growth and Evaluation of School Personnel [Policy & Legal News, February 2013](#)
- Adoption Date: 6/12/13
- School District Name:
- Revised: 04.98; 12.00; 12.11; 02.13; 04.13
- Classification: Essential

Procedure Evaluation of Staff Certificated Classroom Teachers

Pursuant to state law implementing the Professional Growth and Evaluation of School Personnel system, the board will adopt the instructional framework and the evaluative criteria and procedures with which to evaluate all certificated classroom teachers and post the selection of the instructional framework on its website. The evaluative criteria must contain as a minimum the criteria established by the superintendent of public instruction and must be prepared within six months following adoption of the superintendent of public instruction's minimum criteria. The district must certify to the superintendent of public instruction that evaluative criteria have been so prepared by the district. It is the responsibility of a principal or his/her designee to evaluate all certificated classroom teachers in his or her school using the board's adopted minimum criteria.

1. Comprehensive summative evaluation, annual comprehensive summative evaluation and focused evaluation

Certificated classroom teachers will receive a comprehensive summative evaluation at least once every four years. A comprehensive summative evaluation assesses all eight evaluation criteria and all criteria must contribute to the comprehensive summative evaluation performance rating. The evaluation must include an assessment of the criteria using the instructional framework rubric chosen by the district and the OSPI approved student growth rubrics. More than one measure of student growth data must be used in scoring the student growth rubrics.

Certificated classroom teachers will receive an annual comprehensive summative evaluation if they are provisional employees under RCW 28A.405.220, or received a comprehensive summative evaluation performance rating of Level 1 or Level 2 in the previous school year, once they have transitioned to the new evaluation systems.

A certificated classroom teacher with four years of satisfactory evaluations in the district may be transitioned into the revised evaluation system using a focused evaluation, and will then be evaluated on the four year cycle for comprehensive evaluation.

Certificated classroom teachers will receive a focused evaluation in the years when a comprehensive summative evaluation is not required if they received a comprehensive summative evaluation performance rating of Level 3 or above in the previous school year. A focused evaluation includes an assessment of one of the eight criteria selected for a performance rating plus professional growth activities specifically linked to the selected criteria.

2. Observation

Certificated classroom teachers will be observed for the purposes of a summative or annual comprehensive evaluation or a focused evaluation at least twice each school year in the performance of their duties for a total observation time of no less than 60 minutes.

New certificated classroom teachers will be observed in the performance of their duties at least once during the first 90 calendar days of their employment for a total observation time of no less than 30 minutes

Certificated classroom teachers in the third year of provisional status will be observed in the performance of their duties at least three times during the school year for a total observation time of no less than 90 minutes.

Each certificated classroom teacher will have the opportunity for confidential conferences with his or her immediate supervisor on no less than two occasions in each school year. Such confidential conference shall have as its sole purpose the aiding of the administrator in his or her assessment of the employee's professional performance.

3. Evaluation report

The evaluator will promptly document the results of the observation or series of observations and will, within three days, provide a copy of the evaluation report to the certificated classroom teacher. The certificated classroom teacher will sign the district's original evaluation report to indicate that he/she has received a copy, although the signature does not necessarily imply agreement with the contents of the evaluation report. The evaluator will provide the certificated classroom teacher the opportunity to attach written comments to his/her report, and then ensure each evaluation report is placed in that individual's personnel file.

4. Minimum criteria for evaluation of certificated classroom teachers:

- Centering instruction on high expectations for student achievement. The related descriptor is: Expectations; the teacher communicates high expectations for student learning.
- Demonstrating effective teaching practices. The related descriptor is: Instruction; the teacher uses research-based instructional practices to meet the needs of all students.
- Recognizing individual student learning needs and developing strategies to address those needs. The related descriptor is: Differentiation; the teacher acquires and uses specific knowledge about students' cultural, individual, intellectual and social development and uses that knowledge to adjust their practice by employing strategies that advance student learning. Student growth data must be a substantial factor utilizing the OSPI approved student growth rubrics.
- Providing clear and intentional focus on subject matter content and curriculum. The related descriptor is: Content knowledge; the teacher uses content area knowledge, learning standards, appropriate pedagogy and resources to design and deliver curricula and instruction to impact student learning.
- Fostering and managing a safe, positive learning environment. The related descriptor is: Learning environment; the teacher fosters and manages a safe and inclusive learning environment that takes into account the physical, emotional and intellectual well-being of students.
- Using multiple student data elements to modify instruction and improve student learning. The related descriptor is: Assessment; the teacher uses multiple data elements (both formative and summative) to plan, inform, and adjust instruction, and evaluate student learning. Student growth data must be a substantial factor utilizing the OSPI approved student growth rubrics.
- Communicating and collaborating with parents and school community. The related descriptor is: Families and community; the teacher communicates and collaborates with

students, families and all educational stakeholders in an ethical and professional manner to promote student learning.

- Exhibiting collaborative and collegial practices focused on improving instructional practice and student learning. The related descriptor is: Professional practice; the teacher participates collaboratively in the educational community to improve instruction, advance the knowledge and practice of teaching as a profession, and ultimately impact student learning. Student growth data must be a substantial factor utilizing the OSPI approved student growth rubrics.

5. Analysis of evidence

- The evaluator will analyze the evidence observed according to the appropriate criterion, the instructional framework and student growth rubrics.
- The evaluator will calculate all criterion scores to derive an overall summative score and then determine the final four-level rating (summative performance rating) based on the OSPI summative evaluation scoring band.
- In evaluating certificated classroom teachers, student input may be included.

6. Summative performance ratings

- Level 1: Unsatisfactory. Professional practice shows evidence of not understanding the concepts underlying individual components of the criteria. This level of practice is ineffective and inefficient and may represent practice that is harmful to student learning progress, professional learning environment, or individual teaching practice. This level requires immediate intervention.
- Level 2: Basic. Professional practice shows a developing understanding of the knowledge and skills of the criteria required to practice, but performance is inconsistent over a period of time due to lack of experience, expertise, and/or commitment. This level may be considered minimally competent for teachers early in their careers but insufficient for more experienced teachers. This level requires specific support.
- Level 3: Proficient. Professional practice shows evidence of thorough knowledge of all aspects of the profession. This is successful, accomplished, professional and effective practice. Teaching at this level utilizes a broad repertoire of strategies and activities to support student learning. At this level, teaching is strengthened and expanded through purposeful, collaborative sharing and learning with colleagues as well as ongoing self-reflection and professional improvement.
- Level 4: Distinguished. Professional practice at is that of a master professional whose practices operate at a qualitatively different level from those of other professional peers. To achieve this rating, a teacher would need to have received a majority of distinguished ratings on the criterion scores. A teacher at this level must show evidence of average to high impact on student growth. Ongoing, reflective teaching is demonstrated through the
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highest level of expertise and commitment to all students' learning, challenging professional growth and collaborative practice.

7. Student growth impact rating

- Upon completing the overall summative scoring process, the evaluator will combine only the student growth rubric scores to assess the student growth impact rating.
- The evaluator will determine the student growth impact according to OSPI's student impact rating scoring band. A student growth score of '1' in any of the rubric rows will result in an overall low student growth impact rating.
- The evaluators will analyze the student growth score in light of the overall summative score and determine the outcomes.

8. Student growth rating outcomes

- Certificated classroom teachers with a preliminary rating of Distinguished with low student growth rating will receive an overall Proficient rating.
- Certificated classroom teachers with a low student growth rating will engage with their evaluator in a Student Growth Inquiry.
- Certificated classroom teachers with a preliminary rating of Distinguished with average or high student growth rating will receive an overall Distinguished rating and will be formally recognized and/or rewarded.

Evaluations of certificated classroom teachers with a preliminary rating of Unsatisfactory and high student growth rating will be reviewed by the evaluator's supervisor.

9. Student growth inquiry

Within two months of a certificated classroom teacher receiving a low student growth score or at the beginning of the following school year, the evaluator will initiate one or more of the following:

- Examine student growth data in conjunction with other evidence including observation, artifacts and other student and teacher information based on appropriate classroom, school, district and state-based tools and practices;
- Examine extenuating circumstances which may include one or more of the following: Goal setting process; content and expectations; student attendance and extent to which standards, curriculum and assessment are aligned;
- Schedule monthly conferences focused on improving student growth to include one or more of the following topics: Student growth goal revisions, refinement, and progress; best practices related to instruction areas in need of attention; best practices related to student growth data collection and interpretation;
- Create and implement a professional development plan to address student growth areas.

10. Focused evaluation

Certificated classroom teachers will be observed for the purpose of focused evaluation twice each school year for a total observation time of no less than 60 minutes.

The focused evaluation will include, at a minimum:

- One of the eight criteria for certificated classroom teachers must be assessed in every year that a comprehensive evaluation is not required.
- The selected criterion must be approved by the teacher's evaluator and may have been identified in a previous comprehensive summative evaluation as benefiting from additional attention.
- The evaluation must include an assessment of the criterion using the instructional framework rubrics and the OSPI approved student growth rubrics. More than one measure of student growth data must be used in scoring student growth rubrics.
- The focused evaluation will include the student growth rubrics of the selected criterion. If criterion 3, 6, or 8 is selected, evaluators will use those student growth rubrics. If criterion 1, 2, 4, 5 or 7 is selected, evaluators will use criterion 3 or 6 student growth rubrics.
- A summative score is calculated through the scoring of the instructional and student growth rubrics for the criterion selected.

A certificated classroom teacher may be transferred from a focused evaluation to a comprehensive summative evaluation at his/her request or at the direction of his/her evaluator.

Certificated classroom teachers may apply the focused evaluation professional growth activities toward the professional growth plan for professional certificate renewal as required by the professional educator standards board.

11. Notice of deficiency and reasonable program for improvement

At any time after October 15, a certificated classroom teacher whose work is not judged satisfactory based on district evaluation criteria will be given a written notice of deficiency that lists specific areas of deficiencies and provides a reasonable program for improvement. For certificated classroom teachers who have been transitioned to the revised evaluation system, the following summative performance ratings mean that his/her work is not judged satisfactory:

- Level 1
- Level 2 if the classroom teacher is a continuing contract employee under RCW 28A.405.210 with more than five years of teaching experience and if the Level 2 rating has been received for two consecutive years or for two years within a consecutive three-year time period.

12. Probation

A probationary period of 60 school days will be established for those certificated classroom teachers whose work is not judged satisfactory. This period may be extended if deemed necessary to complete a program for improvement and evaluate the probationer's performance, as long as the probation period is concluded before May 15 of the same school year. The probation period may be extended to the following school year if the probationer has five or more years of teaching experience and a comprehensive summative evaluation performance rating as of May 15 of Level 1.

The superintendent will establish the probationary period and provide the notice of deficiency to the probationer. The purpose of the probation period is to give the probationer the opportunity to demonstrate improvements in his or her area of deficiency. The establishment of a probationary period does not adversely affect the probationer's contract status within the meaning of RCW 28A. 405.300.

During the period of probation, the probationer may not be transferred from the supervision of the original evaluator. The original evaluator must document any improvement of performance or probable cause for non-renewal before any consideration of a request for transfer or reassignment contemplated by either the probationer or the district can occur.

During the probation period, the evaluator will meet with the probationer at least twice monthly to supervise and make a written evaluation of progress, if any, made by the probationer.

The evaluator may authorize one additional certificated staff member to evaluate the probationer and to aid them in improving their area of deficiency. Should the evaluator not authorize an additional evaluator, the probationer may request that an additional certificated employee evaluator become part of the probationary process. This request must be implemented by including an additional experienced evaluator assigned by the educational service district in which the school district is located and selected from a list of evaluation specialists compiled by the educational services district. Such additional certificated staff members will be immune from civil liability incurred or imposed during an otherwise good faith performance of an evaluation. Procedural errors occurring during a program for improvement do not invalidate the effectiveness of the plan or the ability to evaluate the probationer's performance.

13. Removal from probation

The probationer will be removed from probation if he or she has demonstrated improvement to the satisfaction of the evaluator in the specific areas detailed in the notice of deficiency and in the program for improvement. Certificated classroom teachers who have been transitioned to the revised evaluation system implemented by September 1, 2013, must be removed from probation if he or she has demonstrated improvement that results in a new comprehensive summative evaluation performance rating of Level 2 or above for a provisional employee or for a continuing contract employee with five or fewer years of experience or of level 3 or above for a continuing contract employee with more than five years of experience.

14. Lack of improvement while on probation

If a probationer does not show necessary improvement during the probation period, the evaluator will document the lack of necessary improvement and the superintendent will notify the probationer in writing that this constitutes grounds for a finding of probable cause for non-renewal as provided in Policy 5280, Termination of Employment.

When a continuing contract employee with five or more years of experience receives a comprehensive summative evaluation performance rating below Level 2 for two consecutive years, the district will implement the employee notification of discharge within ten days of the second summative comprehensive evaluation or May 15, whichever occurs first.

15. Alternative assignment

Immediately following the completion of the probationary period that does not produce necessary performance changes detailed in the initial notice of deficiencies and program for improvement, a certified classroom teacher may be removed from his or her assignment and placed into an alternative assignment for the remainder of the school year

A certificated classroom teacher who has been transitioned to the revised evaluation system may be removed from his or her assignment and placed into an alternative assignment for the remainder of the school year immediately following the completion of a probationary period that does not result in the required comprehensive summative evaluation performance rating of Level 2 or above for a provisional employee or a continuing contract employee with five or fewer years of experience or of Level 3 or above for a continuing contract employee with more than five years of experience. The alternative assignment may not displace another staff member or adversely affect the certified classroom teacher's compensation or benefits for the remainder of the contract year. In the event such alternative assignment is not possible, the district may place the staff person on paid leave for the balance of the contract term.

16. Notification of discharge

If a contract employee with five or more years of experience receives a comprehensive summative evaluation performance rating below Level 2 for two consecutive years, the district will, within 10 days of completion of the second evaluation or by May 15, whichever occurs first, implement the employee notification of discharge as provided in RCW 28A.405.300 and Policy 5280, Termination of Employment.

Evaluation of Certificated Principals and Assistant Principals

Pursuant to state law implementing the Professional Growth and Evaluation of School Personnel system, the board will adopt the leadership framework and the evaluative criteria and procedures with which to evaluate all certificated principals and assistant principals and post the selection of the leadership framework on its website. It is the responsibility of the superintendent or his or her designee to evaluate certificated principals and assistant principals using the board adopted leadership framework.

1. Comprehensive summative evaluation, annual comprehensive summative evaluation and focused evaluation

Due to the importance of instructional leadership and assuring rater agreement among evaluators, particularly those evaluating teacher performance, school districts are encouraged to conduct comprehensive summative evaluation of principal performance on an annual basis.

All principals will receive a comprehensive summative evaluation at least once every four years. A comprehensive summative evaluation assesses all eight evaluation criteria applicable to that principal and all criteria contribute to the comprehensive summative evaluation performance rating.

Principals will receive an annual comprehensive summative evaluation if they:

- Are in their first three consecutive school years of employment as a principal;
- Were previously employed as a principal by another school district in the state of Washington for three or more consecutive school years and are in the first full year as a principal in the school district; or
- Received a comprehensive summative evaluation performance rating of Level 1 or 2 in the previous school year

In the years when a comprehensive summative evaluation is not required, principals who received a comprehensive summative evaluation performance rating of Level 3 or above in the previous school year will receive a focused evaluation. A focused evaluation includes an assessment of one of the eight criteria selected for a performance rating plus professional growth activities specifically linked to the selected criteria.

In any given year the principal or the supervisor may elect to conduct a comprehensive summative evaluation to be used as a basis for determining that a staff member's work is unsatisfactory or to serve as the basis for determining that there is probable cause for non-renewal, unless the locally bargained evaluation process provides otherwise.

2. Minimum criteria for evaluation of principals and assistant principals:

Evaluation of principals and assistant principals will be based on the administrative position job description and the following minimum criteria:

- Creating a school culture that promotes the ongoing improvement of learning and teaching for students and staff. The related descriptor is: An effective leader advocates, nurtures and sustains a school culture and instructional program that promotes student learning and staff professional growth.
- Demonstrating commitment to closing the achievement gap. The related descriptor is: An effective leader has a commitment to closing identified gaps in achievement between groups of students, monitoring subgroup data and developing and encouraging strategies to eliminate those gaps. Student growth data must be a substantial factor utilizing the OSPI approved student growth rubrics.
- Providing for school safety. The related descriptor is: An effective leader teams with the school's community to develop routines and expectations that create a physically and emotionally safe learning environment.
- Leading the development, implementation and evaluation of a data-driven plan for increasing student achievement, including the use of multiple student data elements. The related descriptor is: An effective leader relies on data to promote improvement through school improvement plans in all aspects of the school and across all of the eight principal evaluation criteria. Student growth data must be a substantial factor utilizing the OSPI approved student growth rubrics.
- Assisting instructional staff with alignment of curriculum, instruction, and assessment with state and local school district learning goals. The related descriptor is: An effective leader assumes responsibility to assist staff with the alignment of their teaching and classroom assessments with the state's learning goals and the school district's curriculum.

- Monitoring, assisting and evaluating effective instruction and assessment practices. The related descriptor is: An effective leader monitors teaching and uses the evaluation process and other strategies to support teachers' efforts to strengthen their teaching and learning in classrooms. Student growth data must be a substantial factor utilizing the OSPI approved student growth rubrics.
- Managing both staff and fiscal resources to support student achievement and legal responsibilities. The related descriptor is: An effective leader manages human and fiscal resources in ways that enhance the likelihood that students will thrive and succeed in achieving the school's goals for them.
- Partnering with the school community to promote student learning. The related descriptor is: An effective leader engages families and the community in ways that increase the success of students.

3. Analysis of evidence

- The evaluator will analyze the evidence observed according to all eight criteria, the leadership framework rubric and the OSPI approved student growth rubrics. More than one measure of student growth data must be used in scoring the student growth rubrics. Input from building staff may be included in the analysis.
- The evaluator will calculate all criterion scores to derive an overall summative score and then determine the final four-level rating (summative performance rating) based on the OSPI-determined summative evaluation scoring band.
- Upon completing the overall summative scoring process, the evaluator will combine only the student growth rubric scores to assess the principal's student growth impact rating. The student growth impact rating will be determined by OSPI's student impact rating scoring band.
- A student growth score of "1" in any of the rubric rows will result in an overall low student growth impact rating.

4. Summative performance ratings

- Level 1: Unsatisfactory. Professional practice shows evidence of not understanding the concepts underlying individual components of the criteria. This level of practice is ineffective and inefficient and may represent practice that is harmful to student learning progress, professional learning environment, or individual leading practice. This level requires immediate intervention.
- Level 2: Basic. Professional practice shows a developing understanding of the knowledge and skills of the criteria required to practice, but performance is inconsistent over a period of time due to lack of experience, expertise, and/or commitment. This level may be considered minimally competent for principals early in their careers but insufficient for more experienced principals. This level requires specific support.
- Level 3: Proficient. Professional practice at shows evidence of thorough knowledge of all aspects of the profession. This is successful, accomplished, professional and effective

- practice. Leading at this level utilizes a broad repertoire of strategies and activities to support student learning. At this level, leading a school is strengthened and expanded through purposeful, collaborative sharing and learning with colleagues as well as ongoing self-reflection and professional improvement.
- Level 4: Distinguished. Professional practice is that of a master professional whose practices operate at a qualitatively different level from those of other professional peers. To achieve this rating, a principal would need to have received a majority of distinguished ratings on the criterion scores. A principal at this level must show evidence of average to high impact on student growth. Ongoing, reflective leading is demonstrated through the highest level of expertise and commitment to all students' learning, challenging professional growth and collaborative practice.

5. Student growth rating outcomes

- Principals with a preliminary rating of Distinguished with low student growth rating will receive an overall Proficient rating.
- Principals with a low student growth rating will engage with their evaluator in a Student Growth Inquiry focused on specific areas of weak student impact.
- Principals with a preliminary rating of Distinguished with average or high student growth rating will receive an overall Distinguished rating and will be formally recognized and/or rewarded.
- Evaluations of principals with a preliminary rating of Unsatisfactory and high student growth rating will be reviewed by the evaluator's supervisor.

6. Comprehensive summative performance ratings

For principals who have been transitioned to the revised evaluation system, the following comprehensive summative evaluation performance ratings mean a principal's work is not judged satisfactory:

- Level 1
- Level 2 if the principal has more than five years of experience in the principal role and if the Level 2 comprehensive summative evaluation performance rating has been received for two consecutive years or for two years within a consecutive three-year period.

7. Student growth inquiry

Within two months of a principal receiving a low student growth score or at the beginning of the following school year, the evaluator will initiate one or more of the following:

- Examine student growth data in conjunction with other evidence including observation, artifacts and other student and teacher information based on appropriate classroom, school, district and state-based tools and practices;
- Examine extenuating circumstances which may include one or more of the following: Goal setting process; content and expectations; student attendance; extent to which standards, curriculum and assessment are aligned;
- Schedule monthly conferences focused on improving student growth to include one or more of the following topics: Student growth goal revisions, refinement, and progress; best practices related to instruction areas in need of attention; best practices related to student growth data collection and interpretation;
- Create and implement a professional development plan to address student growth areas.

8. Focused evaluation

A focused evaluation of a principal will include the following:

- Assessment of one of the eight criteria for principals in every year that a comprehensive evaluation is not required.
- The selected criterion must be approved by the principal's evaluator and may have been identified in a previous comprehensive summative evaluation as benefiting from additional attention.
- The evaluation must include an assessment of the criterion using the leadership framework rubrics and the OSPI approved student growth rubrics. More than one measure of student growth data must be used in scoring student growth rubrics.
- The student growth rubrics selected by the principal and approved by the principal's evaluator.
- A summative score determined through scoring of the leadership and student growth rubrics for the criterion selected.

A principal may be transferred from a focused evaluation to a comprehensive summative evaluation at his/her request or at the direction of his/her evaluator.

Principals may apply the focused evaluation professional growth activities toward the professional growth plan for professional certificate renewal as required by the professional educator standards board.

9. Notice of deficiency and reasonable program for improvement

At any time after October 15, a principal whose work is not judged satisfactory based on district evaluation criteria will be given a written notice of deficiency that lists specific areas of deficiencies and provides a reasonable program for improvement.

Evaluation of Certificated Support Personnel

The board will establish evaluative criteria and procedures for all certificated support personnel. The evaluative criteria must contain as a minimum the criteria established by the superintendent of public instruction pursuant

to this section and must be prepared within six months following adoption of the superintendent of public instruction's minimum criteria. The district must certify to the superintendent of public instruction that evaluative criteria have been so prepared by the district.

1. Observation

Certificated support personnel will be observed in the performance of their duties at least twice each school year. At least one observation will be for no less than 30 minutes. Total observation time for each employee for each school year will not be less than 60 minutes. Prior to being transitioned to the new evaluation system, a certificated support person who has four years of satisfactory evaluations in the district may be evaluated using a short form evaluation pursuant to RCW 28A.405.100(11). However, after being transitioned to the new evaluation system, these employees must be evaluated using either a focused or comprehensive evaluation.

New employees will be observed in the performance of their duties at least once during the first 90 calendar days of their employment for a total observation time of no less than 30 minutes.

Employees in the third year of provisional status will be observed in the performance of their duties at least three times during the school year for a total observation time of no less than 90 minutes.

Each certificated support personnel shall have the opportunity for confidential conferences with his or her immediate supervisor on no less than two occasions in each school year. Such confidential conference shall have as its sole purpose the aiding of the administrator in his or her assessment of the employee's professional performance.

2. Minimum criteria for evaluation of certificated support personnel:

- Knowledge and scholarship in special field: The certificated support person demonstrates a depth and breadth of theory and content in his/her specialized field. He/she demonstrates an understanding of and knowledge about common school education, and demonstrates the ability to integrate the area of specialty into the school environment.
- Specialized skills: The certificated support person demonstrates a competent level of skill and knowledge in designing and conducting specialized programs of prevention, intervention, remediation and evaluation.
- Management of special and technical environment: The certificated support person demonstrates an acceptable level of performance in managing and organizing the special materials, equipment and environment essential to the specialized programs.
- Professionalism: The certificated support person demonstrates awareness of his/her limitations and strengths and demonstrates continued professional growth.
- Involvement in assisting students, parents and staff: The certificated support person demonstrates an acceptable level of performance in identifying those needing specialized programs.

3. Evaluation report

The evaluator will promptly document the results of the observation or series of observations and will, within three days, provide a copy of the evaluation report to the certificated support personnel. The certificated support personnel will sign the district's original evaluation report to indicate that he/she has received a copy, although the signature does not necessarily imply agreement with the contents of the evaluation report. The evaluator will provide the certificated support personnel the opportunity to attach written comments to his/her report, and then ensure each evaluation report is placed in that individual's personnel file.

4. Evaluation results for certificated support personnel

Evaluation results for certificated support personnel will be used to:

- Acknowledge, recognize and encourage excellence in the certificated support person's professional performance;
- Document the level of performance by an employee of his/her assigned duties;
- Identify discrete areas according to the criteria included on the evaluation instrument in which the employee may need improvement;
- Document performance by an employee judged unsatisfactory based on the district evaluation criteria.

5. Notice of deficiency and reasonable program for improvement

At any time after October 15, certificated support personnel whose work is not judged satisfactory based on district evaluation criteria will be given a written notice of deficiency that lists specific areas of deficiencies and provides a reasonable program for improvement.

6. Probation

A probationary period of 60 school days will be established for those certificated support personnel whose work is not judged satisfactory. This period may be extended if deemed necessary to complete a program for improvement and evaluate the probationer's performance, as long as the probation period is concluded before May 15 of the same school year. The probation period may be extended to the following school year if the probationer has five or more years of teaching experience and has a comprehensive summative evaluation performance rating as of May 15 of Level 1.

The superintendent will establish the probationary period and provide the notice of deficiency to the probationer. The purpose of the probation period is to give the probationer the opportunity to demonstrate improvements in his or her area of deficiency. The establishment of a probationary period does not adversely affect the probationer's contract status within the meaning of RCW 28A.405.300.

During the period of probation, the probationer may not be transferred from the supervision of the original evaluator. The original evaluator must document any improvement of performance or probable cause for non-renewal before any consideration of a request for transfer or reassignment contemplated by either the probationer or the district can occur.

During the probation period, the evaluator will meet with the probationer at least twice monthly to supervise and make a written evaluation of progress, if any, made by the probationer. The evaluator may authorize one additional certificated staff member to evaluate the probationer and to aid them in improving their area of deficiency.

Should the evaluator not authorize an additional evaluator, the probationer may request that one additional certificated employee evaluator participate in the probationary process and this request must be implemented by including an additional experienced evaluator assigned by the educational service district in which the school district is located. Such additional certificated staff members will be immune from civil liability incurred or imposed during an otherwise good faith performance of an evaluation. Procedural errors occurring during a program for improvement do not invalidate the effectiveness of the plan or the ability to evaluate the probationer's performance.

7. Removal from probation

The probationer will be removed from probation if he or she has demonstrated improvement to the satisfaction of the evaluator in the specific areas detailed in the notice of deficiency and in the program for improvement.

8. Lack of improvement while on probation

If a probationer does not show necessary improvement during the probation period, the evaluator will document the lack of necessary improvement and notify the probationer in writing that this constitutes grounds for a finding of probable cause for non-renewal.

9. Alternative assignment

Immediately following the completion of the probationary period that does not produce necessary performance changes detailed in the initial notice of deficiencies and program for improvement, certificated support personnel may be removed from their assignment and placed into an alternative assignment for the remainder of the school year.

The alternative assignment may not displace another staff member or adversely affect the certificated support person's compensation or benefits for the remainder of the contract year. In the event such alternative assignment is not possible, the district may place the certificated support person on paid leave for the balance of the contract term.

Evaluation of Other Administrative Staff

The superintendent will develop and implement a system for evaluating administrative staff other than certificated principals and assistant principals as referenced in the section above.

The evaluative criteria for other administrative staff will be:

1. Leadership;
2. Administration and management;

3. School finance;
4. Professional preparation and scholarship;
5. Effort toward improvement when needed;
6. Interest in students, staff, patrons and subjects taught in schools; and
7. Evaluation of staff.

Evaluation of Classified Staff

The superintendent will develop and implement a system for evaluating classified staff. Except as otherwise developed in accordance with the duty to bargain in chapter 41.56 RCW, the evaluative criteria for classified staff will be based upon the job description of the specific assignment.

- Date: 12.00; 12.11; 02.13; 04.13

CONFLICTS OF INTEREST

Staff members shall not engage in nor have a direct financial interest in any activity which conflicts with his/her duties and responsibilities. Such activities where a conflict of interest may exist include but are not limited to:

A. Receiving economic benefit from selling or promoting the sale of goods or services to the students or their parents where the knowledge of the staff member's relationship to the district is in any way utilized to influence the sale.

B. Receiving economic benefit from the sale of instructional and training materials and/or equipment where the district has specifically engaged a staff member(s) to develop such materials or equipment. In such instances, the district shall retain a proprietary interest.

C. Encouraging a student who is enrolled in one or more of the teacher's classes to take private lessons or to engage tutoring for fee from the staff member.

D. Using or providing for others a list of names and home addresses obtained from school records or school-related contacts for purposes of identifying potential client or customer contacts.

E. Participating in any way in the selection process for materials, books or equipment when an item developed by or authored by the staff member or a member of his/her family is under consideration for approval for district use.

F. Being involved in the selection of an applicant or in the appointment, evaluation or supervision of any other staff member who is a family member.

G. Using the interschool mail to promote sales of a product in which a staff member has a financial interest.

H. Providing a staff or student directory for use in promoting sales of a product or service.

I. Purchasing or otherwise acquiring surplus district property, where the staff member was involved in or had influence in the process of declaring the item(s) as surplus.

Written permission from the superintendent or principal is necessary when:

A. A certificated staff member wishes to tutor or give private lessons for a fee to any student who is enrolled in one or more of the teacher's classes;

B. A certificated staff member such as communication disorder specialists, psychologists or specialized music teachers, wishes to give private instruction for a fee to any student who is concurrently being served by that individual in the regular school program.

Legal Reference: WAC 181-87-090 Improper remunerative conduct

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The board recognizes the right of its employees, as citizens, to engage in political activities. A staff member may seek an elective office provided that the staff member does not campaign on school property during working hours. In the event the staff member is elected to office, the employee may request a leave of absence in accordance with the leave policies of the district or the provisions of the applicable labor agreement for the employee. No individual shall solicit on the school district property for any contribution to be used for partisan political purpose.

The superintendent is directed to establish procedures which specify the condition under which a staff member can participate in political activities.

Cross Reference: Board Policy 4400 Election Activities
Legal References: RCW 41.06.250 Political activities

Staff Participation in Political Activities

Guidelines for staff participation in political activities are as follows:

A. Any employee who intends to campaign for an elective political office is encouraged to submit a statement of intent to the superintendent at least two weeks prior to the filing date. The letter of intent to file for political office shall include a statement which outlines:

1. The degree to which the employee might request leave to make personal appearances during work hours; and
2. The anticipated release time to conduct the duties associated with the elective office.

B. The employee who intends to campaign for an elective office shall be advised that:

1. Political activities shall not occur during the working hours of the employee. This shall not preclude the employee from renting space if such space is available on a rental basis for candidates who are not associated with the school district.
2. Political circulars, petitions or endorsements may not be distributed or posted on school property.
3. The collection of campaign funds and/or the solicitation of campaign workers is prohibited on school property.
4. The use of students for writing or addressing political materials, or the distribution of such materials to or by students is prohibited.

C. An employee may not campaign for a political candidate or for a political issue during school hours on school property.

D. Staff members who hold elective office are not entitled to release time from their school duties for reasons incidental to such office except as such time may qualify under the leave policies of the board or a provision of a negotiated labor agreement.

E. Violation of any of the stated rules may constitute sufficient cause for reprimand or dismissal.

Adoption Date: 031902

Naselle-Grays River Valley School District

Maintaining Professional Staff/Student Boundaries

Purpose

The purpose of this policy is to provide all staff, students, volunteers and community members with information about their role in protecting children from inappropriate conduct by adults. This policy applies to all district staff and volunteers. For purposes of this policy and its procedure, the terms “district staff,” “staff member(s),” and “staff” also include volunteers.

General Standards

The board expects all district staff to maintain the highest professional standards when they interact with students. District staff are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries.

Professional staff/student boundaries are consistent with the legal and ethical duty of care that district employees have for students.

The interactions and relationships between district staff and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, and consistency with the educational mission of the district.

District staff will not intrude on a student’s physical and emotional boundaries unless the intrusion is necessary to serve a demonstrated educational purpose. An educational purpose is one that relates to the staff member’s duties in the district. Additionally, staff members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will notify and discuss issues with their building administrator or supervisor whenever they suspect or question whether their own or another staff member’s conduct is inappropriate or constitutes a violation of this policy.

The board recognizes that staff may have familial and pre-existing social relationships with parents or guardians and students. Staff members should use appropriate professional judgment when they have a dual relationship to students to avoid violating this policy, the appearance of impropriety, and the appearance of favoritism. Staff members shall proactively discuss these circumstances with their building administrator or supervisor.

Use of Technology

The board supports the use of technology to communicate for educational purposes. However, district staff are prohibited from inappropriately communicating with students on-

line or from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards. Staff whose conduct violates this policy may face discipline and/or termination consistent with the district's policies and procedures, acceptable use agreement, and collective bargaining agreements, as applicable.

The superintendent/designee will develop protocols for reporting and investigating allegations and develop procedures and training to accompany this policy.

Adopted 06/15/10

Revised 06/20/1

Maintaining Professional Staff /Student Boundaries

The purpose of this procedure is to provide all staff, students, volunteers and community members with information to increase their awareness of their role in protecting children from inappropriate conduct by adults.

In a professional staff/student relationship, school employees maintain boundaries that are consistent with the legal and ethical duty of care that school personnel have for students.

A boundary invasion is an act or omission by a school employee that violates professional staff/student boundaries and has the potential to abuse the staff/student relationship.

An inappropriate boundary invasion means an act, omission, or pattern of such behavior by a school employee that does not have an educational purpose; and results in abuse of the staff/student professional relationship.

Unacceptable Conduct

Examples of inappropriate boundary invasions by staff members include but are not limited to the following:

- Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students;
- Showing pornography to a student;
- Singling out a particular student or students for personal attention and friendship beyond the professional staff-student relationship;
- Socializing where students are consuming alcohol, drugs or tobacco,
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- Sending students on personal errands unrelated to any educational purpose;
- Banter, allusions, jokes or innuendos of a sexual nature with students;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students, or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social networking Web sites, or letters (beyond homework or other legitimate school business) without including the parent/guardian.
- Exchanging personal gifts, cards or letters with an individual student;

- Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- Giving a student a ride alone in a vehicle in a non-emergency situation; and/or
- Unnecessarily invading a student's privacy, (e.g. walking in on the student in the bathroom)

Appearances of Impropriety

The following activities are boundary invasions and can create an actual impropriety or the appearance of impropriety. Whenever possible, staff should avoid these situations. If unavoidable these activities should be pre-approved by the appropriate administrator. If not pre-approved, the staff person must report the occurrence, to the appropriate administrator, as soon as possible.

- Being alone with an individual student out of the view of others;
- Inviting or allowing individual students to visit the staff member's home;
- Visiting a student's home; and/or
- Social networking with students for non-educational purposes.

Reporting Violations

Students and their parents/guardians are strongly encouraged to notify the principal (or other administrator) if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members are required to promptly notify the principal (or other administrator) or the superintendent if they become aware of a situation that may constitute a violation of this policy.

Disciplinary Action

Staff violations of this policy may result in disciplinary action up to and including dismissal. The violation will also be reported to the state Office of Professional Practices. Violations involving sexual or other abuse will also result in referral to Child Protective Services and/or law enforcement in accordance with the board's policy on Reporting Child Abuse and Neglect.

Training

All new employees and volunteers will receive training on appropriate staff /student boundaries within three months (*or insert number of days/months*) of employment. Continuing employees will receive training every three years.

Dissemination of Policy and Reporting Protocols

This policy and procedure shall be included on the district Web site and in all employee, student and volunteer handbooks. Annually, all administrators and staff will receive copies of the district's reporting protocol.

PERSONNEL RECORDS

The district shall organize, compile and maintain personnel records and files for each staff member of the district which shall be kept secure under the authority of the superintendent. The contents of the files shall be available to the superintendent and to those staff authorized by the superintendent to organize, compile and maintain the personnel files. Staff members who have access to the files shall be required to maintain the confidentiality of the files and their contents.

Any confidential college or university credentials or other confidential pre-employment materials received by the district shall be returned to the sender or destroyed at the time of employment by the board.

A certificated or classified staff member shall be permitted, during normal district business hours, to review the contents of his/her personnel file in the presence of an authorized staff member.

A staff member annually may petition that the superintendent review all information in the staff member's personnel file(s) that is regularly maintained by the district as a part of his business records or is subject to reference for information given to persons outside of the district. The superintendent shall determine if there is any irrelevant or erroneous information in the file(s), and shall remove all such information from the file(s). If a staff member does not agree with the superintendent's determination, the staff member may at his or her request have placed in the staff member's personnel file a statement containing a rebuttal or correction.

Cross Reference: Board Policy 4040 Public Access to District Records
Legal References: RCW 28A.405.250 Certificated employees, applicants for
certificated position, not to be discriminated
against--Right to inspect personnel file
42.17.310(l) Certain personal and other records
exempt (from public inspection)
49.12.240-260 Employee inspection of personnel file

Adoption Date: 031902
Naselle-Grays River Valley School District

Personnel Records

Location

The district shall maintain a personnel file for each of its staff members.

Staff Member's Access To His/Her Personnel File

Any staff member has the right to examine and copy materials from and/or have copies made of his/her personnel file during regular business hours.

The superintendent has authorized access to personnel records to the following individuals: Principals, District Office Staff, Business Manager.

The superintendent or his/her designee must be present when a staff member is given access to his/her personnel file in order to offer the staff member assistance and interpretation of material contained in the file.

The district shall establish a copy fee.

Access By Others To A Personnel File

In addition to the superintendent and his/her designee, a member of the board, when authorized through board action, shall have access to staff personnel files.

Any person authorized by a valid court order shall have access to personnel files. Principals and/or immediate supervisors may examine the files of staff employed in their building.

Any individual who has the written permission of a staff member may request to examine the staff member's records.

CONTENTS OF PERSONNEL FILE

A personnel file may contain, but is not limited to, professional certificates, transcripts from colleges or universities, a record of previous employment, evaluations, professional assessment instruments, letters of recommendation and copies of district contracts. All material in the personnel file must be related to the staff member's work, position, salary or employment status in the district. A staff member may petition that the personnel office review all information in the personnel file. The personnel office shall determine if there is any irrelevant information and shall remove all such from the file. If the staff member does not concur with that material that remains, the staff member may file a statement of rebuttal or correction to be placed into the file.

ADDING MATERIAL

The superintendent is responsible for placing material in the proper personnel file within 10 days of receipt or origination of said material. All materials placed in a personnel file shall be signed and dated. When material is critical of a staff member, the person responsible for placing this material in the staff member's file must forward a copy of the material to the

staff member. Any material critical of a staff member which is not shown to him/her within 10 days after placement in his/her file shall not be allowed as evidence in any grievance or disciplinary action against such staff member.

STAFF MEMBER'S RIGHT TO OBJECT TO MATERIAL ADDED

Appeal. A staff member may appeal to the superintendent for the removal of any material placed in his/her personnel file. This must be done by requesting a conference with the party involved for the purpose of examining the questioned material. If the staff member is not satisfied with the decision, he/she may file a grievance according to district policy.

Rebuttal. A staff member has the right to submit a written statement of rebuttal relating to any material in his/her personnel file and have the written rebuttal placed within the file. A former staff member shall retain the right of rebuttal or correction for a period not to exceed two (2) years.

RESOLUTION OF STAFF COMPLAINTS

The board recognizes the importance of establishing reasonable and effective means for resolving difficulties which may arise among staff, to reduce potential areas of grievances and to establish and maintain recognized two-way channels of communication between supervisory personnel and staff.

The board intends to expedite the process for all concerned parties. Staff are urged to use the administrative procedures whenever they feel that a district action has aggrieved them. The procedures are established to secure a proper and equitable solution to a complaint at the lowest possible supervisory level and to facilitate an orderly procedure within which solutions may be pursued.

A complaint may be a claim by a staff member based upon alleged violation, misinterpretation or a misapplication of existing district policies or administrative procedures.

All documents, communications and records dealing with the processing of a grievance shall be maintained in a separate file and shall not be kept in the personnel file of the aggrieved.

Resolution of Staff Complaints

The following procedure has been established for resolving a complaint filed by a member of the staff:

Step One

The staff member shall present the complaint in writing to his/her immediate supervisor within 15 days of the action or incident. The written statement of the complaint shall contain:

- A. The facts upon which the complaint is based as the staff member who is filing the complaint sees them,
- B. A reference to the policies of the district which have allegedly been violated, and
- C. The remedies sought.

The staff member shall discuss this complaint with his/her immediate supervisor. If the complaint is against an administrator or another staff member, such individual shall be present at the meeting to present the facts as he/she sees them. A sincere effort shall be made to resolve the complaint at this level. If the aggrieved person does not appeal the complaint to the superintendent within 10 days of the aggrieved person's meeting with his/her immediate supervisor, the complaint shall be waived.

Step Two

The superintendent shall, within 10 days of the receipt of the complainant's appeal, meet with that staff member to hear his/her claim. If the complaint is against an administrator or another staff member, such individual shall be present at the hearing to present the facts as he/she sees them.

The superintendent shall render a decision regarding the appeal within 10 days of the appeal hearing. If the complainant does not appeal the superintendent's decision to the board through the superintendent within 10 days, the complaint shall be waived.

Step Three

If the complainant appeals his/her complaint to the board as provided, the board shall hold a hearing within 10 days to hear the appeal of the superintendent's decision. At the appeal before the board, the complainant may be accompanied by counsel if the complainant wishes. If administrators or other staff are involved, they shall be present at the hearing to present the facts as they see them. The board shall, within 15 days of the complaint hearing, present its decision with respect to the complaint. The board's decision as representatives of the electorate of the district shall be considered final.

REPORTING IMPROPER GOVERNMENTAL ACTION

The district encourages the reporting, consistent with the Superintendent's procedures, of improper governmental actions by any district officers or employees and will protect employees against retaliatory employment actions for reporting improper governmental actions when the reports are made in compliance with this policy and related procedure. District officers and employees are prohibited from taking retaliatory action against an employee because the employee has in good faith reported alleged improper governmental action in accordance with this policy and related procedure.

The Superintendent shall establish procedures for receiving and acting on employee reports of improper governmental actions and responding to allegations of retaliation.

Legal References: RCW 42.41.010-060

Local Government
Whistleblowers Protection

Adoption Date: 031902
Naselle-Grays River Valley School District

Reporting Improper Governmental Action

Definitions: As used in this policy and procedure, the following terms shall have the meanings indicated.

- A. "Improper governmental action" means any action by a district officer or employee:
1. That is undertaken in the performance of the officer or employee's official duties, whether or not the action is within the scope of the employee's job; and
 2. That (i) is in violation of any federal, state or local law or rule, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety, or (iv) is a gross waste of public funds.
- Improper governmental action does not include personnel actions.
- B. "Retaliatory action" means any adverse change in the terms and conditions of a staff member's employment.
- C. "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property. Employees are encouraged to report instances which they believe constitute governmental misconduct.

Reporting:

Employees who become aware of actions that they believe constitute improper governmental action should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor or designee, stating in detail the basis for the employee's belief that an improper governmental action has occurred.

Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the superintendent or the person whom the superintendent has designated to receive reports of improper governmental action.

In case of emergency where the employee believes that damage to persons or property may result if action is not taken immediately, or where the employee has a legal obligation to report (for instance, where child abuse is suspected), the employee shall report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action.

District employees who fail to make a good faith attempt to follow this policy and procedure in reporting improper governmental conduct shall not be eligible for the protection outlined.

Response:

The employee's supervisor, the superintendent or the superintendent's designee shall take prompt action to see that the report of improper governmental action is properly investigated.

Persons involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employees authorize the disclosure of their identities in writing.

After an investigation has been completed, the reporting employee shall be receive a summary of the investigation results, except to the extent that resulting personnel actions must be kept confidential.

If a reporting employee reasonably believes that an adequate investigation was not done by the district, that insufficient action has been taken, or that the improper governmental action is likely to recur, the employee may report information about the improper governmental action directly to the appropriate government agency.

Retaliation:

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the superintendent or the superintendent's designee.

Appropriate action to investigate and address complaints of retaliation shall be taken. If the complaint cannot be informally resolved, the employee shall provide written notice to the superintendent that specifies the alleged retaliatory action and the relief requested by the employee.

The written complaint must be filed within thirty days of the alleged retaliation. The district will respond to the complaint within thirty days of receiving the written notice. If the employee alleging retaliation receives no response from the district or objects to the district's response, the employee may request a hearing before a state administrative law judge. The request for a hearing must be delivered in writing to the superintendent either fifteen days following the district's response, or 45 days after the complaint was filed, if there was no response.

The district will apply for a hearing within five working days to:

Office of Administrative Hearings
P. O. Box 42488
919 Lakeridge Way SW
Olympia, Washington 98504-2488
(360) 664-2031

The district will consider any recommendation provided by the administrative law judge that an employee found to have retaliated against an employee who reported improper governmental action be suspended with or without pay or dismissed.

Administration:

A summary of this policy and procedure will be permanently posted where all employees will have reasonable access to it, the policy and procedure will be made available to any

employee who requests them, and the policy and procedure will be given to all new employees.

The following is a list of agencies responsible for enforcing federal, state and local laws and investigating issues involving potential improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact their supervisor, the superintendent or designee.

Local City Police Dept or County Sheriff's Office
Local City or County Environmental Protection Office
WA. Attorney General's Office
Fair Practices Division
Highways-Licenses Building
1125 Washington Street
Olympia, Washington 98504-0100
(360) 753-6200

Washington Auditor's Office
Legislative Building
P O Box 40021
Olympia, Washington 98504-0021
(360) 902-0370

Washington Department of Ecology
300 Desmond Drive or P.O. Box 47600
Lacey, Washington 98504-7600
(360) 407-6000

WA. Human Rights Commission
711 South Capitol Way, Suite 402
Olympia, Washington 98504-2490
(360) 753-6770

WA. Dept. of Labor & Industries
P.O. Box 4400
Olympia, Washington 98504-4400
(360) 902-5800

WA. Department of Natural Resources
1111 Washington St. SE or P.O. Box 47000
Olympia, Washington 98504-7000
(360) 902-1000

Puget Sound Water Quality Authority

P O Box 40900
Olympia, Washington 98504-0900|
(800) 547-6863 54-SOUND

Local County Prosecutor's Office
Local or County Health Department
U. S. Department of Education
Office of the Inspector General
915 - 2nd Ave., Seattle, WA 98174
Audits: (206) 553-7615

Environmental Protection Agency
Criminal Investigations
300 Desmond Dr. Ste 102
Lacey, WA 98503
(360) 753-9437

Equal Employment. Opportunity Comm.
(EEOC) 909 First Ave., #400
Seattle, WA 98104-1061
(206) 220-6883

Federal Emergency Mgmt. Agency (FEMA)
Region X email: mike.howard@fema.gov
Bothell, WA
(425) 487-4610

U S Department of Labor
Occupational Safety and Health
1111 - 3rd Avenue, Suite 715
Seattle, Washington 98101-3212
(800) 475-4020

National Transportation Safety Board
Washington, DC
(202) 314-6230

U S Department of Transportation
Office of Inspector General
915 - 2nd Avenue
Seattle, Washington 98178
(800) 424-9071

WA Superintendent of Public Instruction
Old Capitol Building
P O Box 47200
Olympia, Washington 98504-7200
(360) 753-6738

TERMINATION OF EMPLOYMENT

The superintendent has the statutory authority to issue probable cause for termination to a certificated staff member. The board shall consider the termination of a classified staff member based upon the recommendation of the superintendent. The notice of termination will include notice of any appeal rights the employee may have and notice of the appeal processes.

A. Release from Contract

A certificated staff member may be released from contract under the following conditions:

1. A letter requesting release will be submitted to the superintendent's office. If accepted by the board at its next meeting, the staff member will be released from contract.
2. A release from contract may be granted by the board to allow a staff member to accept another position prior to or during the school year provided a satisfactory replacement can be obtained.
3. A release from contract may be granted by the board in case of illness or other personal matters which make it a substantial hardship for the staff member to continue his/her employment in the district.
4. Each request will be determined upon its own merits. The needs of the district and continuity of the educational program offered to students will receive primary consideration in the board's decision.

B. Resignation

In order to permit proper staff planning and to minimize inconvenience to others who may be affected, certificated staff who plan to resign at the end of their contract period are requested to notify the superintendent of their resignation or retirement by April 1. Those staff who are not contractually obligated to complete the current school year should notify the superintendent as early as possible of their intent to resign and no less than 30 days prior to their last working day.

C. Retirement

Staff will participate in the retirement programs under the Federal Social Security Act and the Washington State Teachers' Retirement System or the Public Employees' Retirement System. Payroll deductions will be made and paid into the respective retirement programs in the manner prescribed by law.

Staff who become eligible to retire under the controlling retirement system and who intend to retire at the end of the current school year should notify the superintendent prior to April 1st of that year.

Those staff intending to retire who are not contractually obligated to complete the current school year should notify the superintendent as early as possible and no less than 30 days prior to their retirement date. Because of their contribution to the children of the district, retiring staff will be given appropriate recognition.

The district office may assist them in making arrangements for their retirement benefits.

D. Probation, Non-renewal or Termination

The employment contracts of individual certificated staff may be non-renewed at the end of the staff member's contract period by action of the superintendent. Such non-renewals may be based upon unsatisfactory performance or changes in the district's financial circumstances and/or staffing needs. Except for "provisional employees," non-renewals for unsatisfactory performance will be preceded by a probationary period.

The superintendent will establish procedures to assist those certificated staff whose performance, through the evaluation process, does not meet minimum requirements.

Beginning with the 2015-16 school year, evaluation results for certificated classroom teachers, certificated principals and assistant principals must be used as one of multiple factors in making human resource and personnel decisions. Human resource decisions include but are not limited to; employee assignment, including the consideration of an agreement to an assignment by an appropriate teacher, principal and superintendent and reduction in forces. The district will not be limited in its ability to collectively bargain how the multiple factors will be used in making human resource and personnel decisions, but the evaluation results must be a factor.

The failure of any evaluator to evaluate or supervise or cause the evaluation or supervision of certificated classroom teachers, certificated support personnel or administrators in accordance with the revised evaluation system, when it is his or her specific duty to do so, will be sufficient cause for the non-renewal of any such evaluator's contract under RCW28A.405.210 or the discharge of such evaluator under RCW 28A.405.300.

Classified staff are granted provisional status during the first 90 working days of employment. During that period of time, they are subject to termination without advance notice. Upon satisfactory completion of 90 working days of consecutive service, a staff member may be granted regular status.

Regular status classified staff are employed on a month-to-month basis and shall be provided at least 14 days notice before termination. Such staff member shall be entitled to an informal pretermination meeting with the superintendent prior to any action taken by the board of directors.

E. Program and Staff Reductions

Program and staff reductions may be required as a direct result of enrollment decline, failure of a special levy election or other events resulting in a significant reduction in revenue; or termination or reduction of funding of categorically-funded projects. The board will, after a review of such indicators as test results, community surveys, informal and formal statements of support and/or opinion, and the district's statement of philosophy, identify those educational programs and services which shall be reduced, modified or eliminated.

When the reduction, modification or elimination of programs and/or services necessitates a reduction in staff, the board will retain staff member's based upon service in the state of Washington and qualifications and experience necessary for the retained position. A staff member who receives notice of non-renewal of contract due to enrollment decline or loss of revenue may, in his/her request for a hearing, stipulate that initiation of the arrangements for a hearing officer shall occur within ten (10) days following July 15, rather than the day the staff member submits the request for a hearing.

The superintendent will develop procedures to implement this policy except that any staff agreement in effect will supersede this policy.

Cross References: Board Policy 5006 Certification Revocation
Board Policy 5240 Evaluation of Classified, Certificated and Administrative Staff

Legal References: RCW 28A.400.300 Hiring and Discharging Employees —Written leave policies - Seniority and leave benefits, retention upon of employees transferring between school districts and other educational employers
28A.400.320 Mandatory termination of classified employees- Appeal-Recovery of salary or compensation by district
28A.400.340 Notice of discharge to contain notice of right to appeal if available
28A.405.100 Minimum criteria for the evaluation of certificated employees-Revised four-level evaluation systems for classroom teachers and principals- Procedures-Steering committee-Models- Implementation-Reports
28A.405.140 Assistance for teacher may be required after evaluation
28A.405.210 Conditions and contracts of employment— Determination of probable cause for non-renewal of contracts —Nonrenewal due to enrollment decline or revenue loss - Notice — Opportunity for hearing

- 28A.405.220 Conditions and contracts of employment— Non-renewal of provisional employees — Notice - Procedure
- 28A.405.300 Adverse change in contract status of certificated employee —Determination of probable cause — Notice — Opportunity for hearing
- 28A.405.310 Adverse change in contract status of certificated employee, including non-renewal of contract — Hearings —Procedure
- 28A.405.470 Crimes against children-Mandatory termination of certified employees – employees-Appeal-Recovery of salary or compensation by district
- 28A.410.090 Revocation of authority to teach-Criminal basis – complaints-Investigation-Process
- 41.32.240 Membership in system
- 41.33.020(6) Terms and provisions of plan
- 41.40.023 Membership
- 41.41 RCW State Employees' Retirement — Federal Social Security
- WAC 181-86 Policies and procedures for administration of Certification proceedings
- 181-87 Acts of Unprofessional Conduct
- 180-44-60 Drugs and alcohol — Use of as cause for dismissal

Adoption Date: 04/15/14
Naselle-Grays River Valley School District
Prior: 04.98; 06.07; 12.11; 02.13; 02.14
Classification: Priority

Probation and Non-renewal or Termination

- **Non-provisional Certificated Staff**

Non-provisional certificated staff whose performance does not meet minimum requirements based upon the specific categories as defined in Policy 5240, Evaluation of Staff, will receive written notice any time after October 15th. The administration shall exercise the following steps:

Evaluator's Report

When an evaluator determines based on evaluations, that the performance of a staff member does not meet minimum requirements, the evaluator will make a report to the superintendent. The report will include the following:

- A. The evaluation report; and
- B. A specific and reasonable plan for improvement.

Establishment of Probationary Period

If the superintendent concurs with the evaluator that the staff member's performance does not meet minimum requirements, the superintendent will place the staff member in a probationary status any time after October 15th, and for a period of sixty school days. The staff member will receive written notice of the action which will contain the following information:

- A. The specific area of deficiency;
- B. A specific and reasonable plan for improvement which gives the staff member the opportunity to demonstrate improvement in any area of deficiency;
- C. The duration of the probationary period;
- D. The right of the staff member to have representation and/or counsel in any subsequent meeting between the staff member and the evaluator.

Evaluation During the Probationary Period

- During the period of probation, the probationer may not be transferred from the supervision of the original evaluator. The original evaluator must document any improvement of performance or probable cause for non-renewal before any consideration of a request for transfer or reassignment contemplated by either the probationer or the district can occur.
- During the probationary period the evaluator will meet at least twice monthly with the probationer to determine progress made and make a written evaluation.
- The evaluator may authorize one additional certificated staff member to evaluate the probationer and aid them in improving their area of deficiency. Should the evaluator not authorize an additional evaluator, the probationer may request that one additional certificated employee evaluator participate in the probation process. The request must be implemented by including an additional experienced evaluator assigned by the educational service district in which the school district is located. Such additional certificated staff members will be immune from civil liability incurred or imposed during an otherwise good faith performance of an evaluation.

- The probationer will be removed from probation if he or she has demonstrated improvement to the satisfaction of the evaluator in the specific area (s) detailed in the notice of deficiency and in the program for improvement.

Evaluator's Post-Probationary Report

At the end of the probationary period the administrator shall submit a written report to the superintendent.

The report will identify any improvement in the area of deficiency and will specify that the staff member has or has not demonstrated sufficient improvement in the stated area of deficiency to justify removal from probationary status.

Action by the Superintendent

- Immediately after the superintendent determines that the completed probationary period did not produce the performance changes detailed in the initial notice of deficiencies and improvement program, the employee may be removed from his or her assignment and placed in alternative assignment for the remainder of the school year. The reassignment may not displace another employee or adversely affect the probationary employee's compensation or benefits during the balance of the contract year. If such a reassignment is not possible, the superintendent may place the employee on paid leave for the balance of the contract term.
- Prior to May 15th, when the superintendent has determined that the staff member has not demonstrated sufficient improvement in the stated area of deficiency, the superintendent shall make a determination of probable cause for non-renewal of the staff member's contract and shall provide written notice to the staff member by May 15 or June 15 if the omnibus appropriations act has not passed the legislature by May 15. Such notice will contain notice of any appeal rights the staff member may have and notice of the appeal processes.
- Any non-provisional certificated staff member so notified will be granted an opportunity for a hearing to determine whether or not there is sufficient cause (s) for non-renewal. The hearing may be "open" or "closed" depending on the wish of the staff member. Selection of the hearing officer and conduct of the hearing will be in accordance with RCW 28A.405.310. Should the hearing officer's decision uphold the district's non-renewal action, the certificated staff member may appeal to the superior court (RCW 28A.405.320).
- Any certificated staff member who does not request a hearing will be adversely affected as specified in the written notice.

Provisional Employees

- Provisional employees whose performance does not meet minimum requirements as defined in Policy 5240, Evaluation of Staff, will receive written notice from the superintendent by May 15, or June 15 if the omnibus appropriations act has not passed the legislature by May 15, that the district does not intend to renew the employment contract. Such notice will contain notice of the appeal processes.
- Within 10 days of receiving such notice the provisional employee may request (in writing) the opportunity to hold an informal meeting with the superintendent. The superintendent shall submit his/her recommendation for non-renewal to the board (RCW 28A.405.220). The provisional employee will be notified in writing of the superintendent's decision at least three days prior to a meeting of the board. The board shall consider any written communication prior to rendering a decision.
- The board shall notify the provisional employee of its decision within 10 days following the meeting. Such decision shall be considered final.
- Any provisional employee who does not request an informal meeting shall be adversely affected as specified in the written notice.

Classified Staff

Classified staff whose performance does not satisfy the needs of the district shall receive written notification from the administrator. Such written notice shall contain the following information:

- Subject to the action of the board of directors, the final date of employment with the district.
- The right to request a pre-termination meeting within five (5) working days following notice.
- Notice of any appeal rights that the employee may have and notice of the appeal processes.

At the pre-termination meeting, the staff member shall be entitled to be advised as to the reason(s) why the month-to-month employment agreement is being terminated and an opportunity to respond to any of the reasons presented. Upon the request of the staff member who is being recommended for termination, the board will meet with the staff member to determine if termination action will be taken.

Reduction in Force Administrative Procedures

This reduction in force policy is prepared with special consideration to the size of the school district and the fact that both staff and program offerings are substantially more limited than is the case in larger school districts within the state of Washington.

The following administrative procedures shall be used to implement the policy set forth above:

Guidelines for reduction in programs and services:

- In its efforts to provide an educational program within the district's financial resources, the board will, as much as practicable, make reductions in expenditures such as: travel, supplies, and materials and equipment before the reduction in staff.
- If the educational program and services of the school district must be reduced due to a reduction in state basic education funds and or drop in enrollment, legislative or Superintendent of Public Instruction actions, or other legitimate reasons, the following guidelines shall be taken into consideration in determining the program and services to be retained, reduced or eliminated:
- The program to be retained shall attempt to minimize the consequences of program reductions upon the student.
- Health and safety standards will be maintained.
- Priority will be given to those books and supplies used by students in fulfilling basic classroom objectives.
- When revenues are categorical and depend upon actual expenditures rather than budgeted amounts, every effort will be made to maintain these programs to the limit of the categorical support.

Certificated staff reduction

In the event that it is necessary to reduce the number of certificated employees due to a reduction in funding or a drop in enrollment, those certificated employees who will be retained to implement the district's reduced or modified program and those certificated employees who will be terminated from employment will be identified by using the following procedures:

- Determination of vacant position: By May 15 or June 15 if the omnibus appropriations act has not passed the legislature by May 15, of each year the district will determine, as accurately as possible, the total number of certificated staff to be retained. The following reasons for leaving the district will be taken into consideration: retirement, family transfer, normal resignations, discharge or non-renewal.
- Certification: Possession of a valid Washington state teaching certificate which may be required for the position(s) under consideration shall be a prerequisite for retention.
- Retention by employee: Certificated staff member will, in accordance with the criteria set forth below, be considered for retention in any grade level in which actual teaching experience has been gained. For the purposes of this paragraph, actual teaching experience, shall mean teaching that grade level full time for at least one (1) full year. Experience in combination grade teaching will also be considered.
- Selection for retention: Certificated employees shall be considered for retention in available positions within their grade level for which they qualify.

- **Provisional employee:** Those employees who are provisional, as that term is used in RCW 28A.405.220 shall be released first.
- **Academic progress:** Consideration will be given for post graduate credits earned beyond the BA; and
- **Years of experience:** Years of actual full time classroom teaching experience recognized by the state will be given consideration.

Evaluation results: Beginning with the 2015-16 school year, evaluation results for certificated classroom teachers, certificated principals and assistant principals must be used as one of multiple factors in making human resource and personnel decisions. Human resource decisions include but are not limited to: employee assignment, including the consideration of an agreement to an assignment by an appropriate teacher principal and superintendent and reduction in force. The district will not be limited in its ability to collectively bargain how the multiple factors will be used in making human resource and personnel decisions, but the evaluation results must be a factor.

Affirmative action: Affirmative action principles shall be considered in implementing the reduction in staff.

Action by board: Recommendations for certificated staff reduction developed in accordance with these procedures shall be presented to the board prior to May 15 or June 15 if the omni-bus appropriations act has not passed the legislature by May 15 for further action by the board.

Employment pool: Those certificated employees released under the reduction in force program shall be placed in an employment pool for a period of one (1) year. In the event a vacancy occurs, those certificated employees in the employment pool, will be rehired in the order in which they entered the pool if qualified, in accordance with the provisions of the above policy. Any employee released under the reduction in force program will, in writing, keep the superintendent advised of their current address and availability for reemployment. Notice of vacancies will be mailed to their last known address. Employees in the employment pool may participate in group insurance plans for a period of one (1) year, if the carrier so agrees. The district will not contribute premiums for such employees.

Book	WSSDA Model Policies
Section	5000 - Personnel
Title	Disciplinary Action and Discharge
Number	5281
Status	Active
Last Revised	12.14
Classification	Discretionary
Prior Revised Dates	04.98, 10.02, 04.04; 10.05; 06.07; 12.11
Adoption Date	02.17.15

Staff who fail to fulfill their job responsibilities or follow the reasonable directions of their administrators or who conduct themselves on or off the job in ways that significantly affect their effectiveness on the job or otherwise act in such a way that the law determines to be sufficient cause will be subject to discipline. Behavior, conduct, or action which may institute disciplinary action or discharge may include, but is not limited to:

Insubordination, gross incompetence, immorality, sexual misconduct, conviction of a felony, nonprofessional conduct, mental or physical inability to perform the duties for which employed, intemperance, intentional discrimination, vulgar speech or actions, use of habit-forming drugs without pharmaceutical prescription by a doctor of medicine licensed to practice in the state of Washington, use of alcoholic beverages on school premises or at a school-sponsored activity off the school premises, and use of district supplies and equipment for personal betterment or financial gain.

Discipline will be reasonably appropriate to the circumstances but may include suspension or discharge.

The district will not request, require or otherwise compel or coerce an employee to: 1) disclose login information for the employee's personal social networking account; or 2) access their personal social networking account in the presence of a supervisor or other district employee; or 3) add a district supervisor or employee to the account's list of contacts or 4) alter the settings on the employee's personal social networking account to affect a third party's ability to view it. The district may not take adverse action against an employee for refusal to comply with any of the above actions.

However, the district may request or require the employee to share content from his or her personal social networking account if: 1) the district requests the content to make a factual determination during the course of an investigation; and 2) the district undertakes an investigation regarding the employee's activity on his/her personal social networking account; and 3) the purpose of the investigation is to ensure compliance with all applicable laws or investigate an unauthorized transfer of district proprietary information, confidential information or financial data to the personal social networking account; and 4) the employer does not request or require the employee to provide his/her login information.

In the event that allegations or charges are made against a staff member for misconduct with minors, the superintendent may contact the Child Protective Services central registry for evidence regarding whether the staff member is an adjudicated or admitted perpetrator of child abuse or neglect. Discharge or other adverse action affecting the contract status of certificated staff will be instituted by the superintendent in the manner prescribed by law.

When allegations are made against an employee of sexual abuse, verbal abuse or physical abuse the district will make a determination whether the abuse or misconduct occurred.

If the district determines that sufficient information exists to conclude that the abuse or misconduct occurred and that the abuse or misconduct resulted in the employee's leaving his or her position at the district, the district must forward known information about the employee sexual misconduct to prospective school district employers.

The district will not enter into any contract to suppress information about verbal or physical abuse or sexual misconduct by a present or former employee. Neither will the district expunge such information from the employee's file.

In cases where the allegations involve violations of the state professional code of conduct for certificated staff, the superintendent will file a report with the Office of Professional Practice in the State Superintendent's office. When the district or superintendent discharges, fails to renew the contract or permits a certificated staff member to resign, the superintendent will notify the office of professional practice of such termination of employment.

The superintendent is authorized to suspend a provisional status staff member immediately. Provisional status as used herein is granted to a staff member for the first ____ months of employment. Thereafter, if performance has been acceptable, the staff member will be granted regular status.

The superintendent is authorized to suspend a regular status staff member immediately. The staff member will be advised of the right to request an informal pretermination meeting within five (5) working days following notice. At such time the staff member may receive notice of the charges against him/her, an explanation of the evidence, and an opportunity to refute any of the charges made.

Upon the request of the suspended staff member, the board will meet with the suspended staff member to determine if discharge action will be taken. If a request is not received, the board acts upon the recommendation of the superintendent.

Legal References

RCW 28A.400.300 Hiring and discharge of employees — Written leave policies — Seniority and leave benefits of employees transferring between school districts and other educational employers

RCW 28A.400.320 Crimes against children — Mandatory termination of classified employees — Appeal — Recovery of salary or compensation by district

RCW 28A.400.340 Notice of discharge to contain notice of right to appeal if available

RCW 28A.405.300 Adverse change in contract status of certificated employee — Determination of probable cause — Notice — Opportunity for hearing

RCW 28A.405.310 Adverse change in contract status of certificated employee, including non-renewal of contract — Hearings — Procedure

RCW 28A.405.470 Crimes against children — Mandatory termination of certificated employees — Appeal — Recovery of salary or compensation by district

RCW 28A.410.090 Revocation or suspension of certificate or permit to teach — Criminal basis — Complaints — Investigation — Process

RCW 49.44.200 Personal social networking accounts – Restrictions on employer access - Definitions

WAC 180-44-060 Drugs and alcohol — Use of as cause for dismissal

Chapter 181-86 RCW Policies and procedures for administration of certification proceedings

WAC 181-87 Acts of Unprofessional Conduct

Cross References

5006 - Certification Revocation

5240 - Evaluation of Staff

5280 - Termination of Employment

Management Resources

2014 - December Issue

2004 - October Issue

Disciplinary Action And Discharge

When the superintendent determines that there is sufficient grounds to suspend and/or discharge a certificated staff member, the staff member shall receive written notification which specifies the probable cause for such action. The notice shall contain notice of the staff member's appeal rights, if any, and notice of the appeal processes. The staff member may submit within 10 days of such notification a written request (RCW 28A.405.310) for a hearing to determine whether or not there is sufficient cause for discharge. During the hearing, the procedures described in Board Policy 5280 (Probation and Non-renewal) shall be followed.

Staff who do not request a hearing shall be adversely affected as specified in the written notice.

Classified staff not employed under formal contract may be suspended for a specified or indefinite number of days with or without pay. A regular status classified staff member shall be advised of the right to request a pretermination meeting within five (5) working days following notice.

At the hearing, the superintendent shall provide notice of charges against the classified staff member, an explanation of the evidence that has been collected and the opportunity for the staff member to clarify or refute the charges. Following this conference, the superintendent shall advise the staff member of the right to a hearing with the board prior to any formal action that may be taken by the board.

A classified staff member, who has contact with children, or a certificated staff member whose certificate is subject to revocation shall be terminated immediately for a guilty plea or conviction of any felony crime against children as stated in (F) below. Such employee shall have the right of appeal.

Reasons For Disciplinary Action

Disciplinary action may be taken for the following reasons:

- A. Incompetence;
- B. Inefficiency;
- C. Misappropriation or misuse of district property;
- D. Neglect of duty;
- E. Insubordination;
- F. Conviction of any crime which adversely affects employee's ability to perform a job including the submission of a guilty plea or conviction of any felony crime involving:

1. The physical neglect of a child;
2. The physical injury or death of a child;
3. Sexual exploitation of a child;
4. Sexual offenses where a minor is a victim;
5. Promotion of a minor for prostitution purposes; or
6. The sale or purchase of a minor child.

- G. Malfeasance;
- H. Gross misconduct;
- I. Inability to perform job functions;
- J. Willful violation of district policies and procedures;
- K. Mistreatment or abuse of fellow workers, students, or members of the public;
- L. Conflict of interest;
- M. Abuse of illness, injury, or emergency leave;
- N. Sexual harassment; or
- O. Manufacture, possession, distribution, sale or being under the influence of alcohol or controlled, illegal, addictive or harmful substances including anabolic steroids.

Types of Disciplinary Action

Depending upon the nature of the work performance problem or conduct, any one or more of the following actions may be taken by the appropriate supervisor:

A. Oral Reprimand

An oral reprimand may be given to an staff member whenever such action is deemed appropriate. A record of this action should be kept in the staff member's personnel file.

B. Written Reprimand

A staff member may be given a written reprimand when previous oral warning has not resulted in the expected improvement or when more severe initial action is deemed warranted. A copy of such reprimand shall be placed in the staff member's personnel file.

C. Suspension/Discharge

A staff member may be suspended from duty without pay by his/her supervisor for any of the reasons set forth in these procedures. A staff member shall receive written notice of such suspension along with notification (oral or written) that he/she may schedule a pretermination meeting with the superintendent. Discharge action may be taken by the board based upon the recommendation of the superintendent. The staff member shall have an opportunity to meet with the board prior to such action.

A staff member may be temporarily suspended from duty with pay, if circumstances warrant, with the prior approval of the superintendent.

A classified staff member who has contact with children, or a certificated staff member shall be terminated immediately for a guilty plea or conviction of any felony crime against children as cited above in (F).

COMPENSATION

A. Certificated Salaries

Staff under contract to the district shall be paid according to current staff salary schedules.

The district shall adopt annual salary schedules and reproduce the same by printing, mimeographing or other reasonable method, which shall be the basis for salaries of staff in the district.

B. Classified Salaries

Classified staff shall be placed on the approved wage and salary guide for classes of such staff.

C. Administrative Salaries

The board will establish and follow salary schedules for administrative staff based upon professional preparation, experience and position. When appropriate, such salary schedules will be consistent with the terms of applicable bargaining agreements.

D. Application of Course Credits to the Certificated Salary Schedule

The district shall provide for the review and adjustment of certificated staff contracts on the basis of information filed with the personnel office by October 1. The staff member shall provide the personnel office, according to schedule, with the required information, including official college or university transcripts, official records of degrees completed, official records of approval and completion of authorized work for equivalent credits and all other pertinent data for contract adjustment purposes.

Credits earned by certificated staff after September 1, 1995 shall be eligible for application to the state salary schedule only if the course content meets one of the following criteria:

1. The course is consistent with a school-based plan for mastery of student learning goals identified in the annual school performance report for the school in which the staff member is assigned;
2. The course pertains to the individual's current assignment or expected assignment for the subsequent school year;
3. The course is necessary to obtain an endorsement required by the state board of education;
4. The course is specifically required to obtain an advanced level of certification; or
5. The course is part of a college or university degree program that pertains to the staff member's current or potential future assignment as instructional staff.
6. The course addresses research-based assessment and instructional strategies for students with dyslexia, dysgraphia and language disabilities when addressing learning goal one as applicable and appropriate for individual certificated instructional staff.

E. Military, Peace Corps or Vista Service Credit

The superintendent is authorized to grant one year of increment credit for each year served in the military Peace Corps or Vista service or professional employment providing such

service interrupted the staff member's actual teaching career. For purposes of credit, one-half or more of a year of service shall be counted as a full year.

Legal References: RCW 28A.405.200 Annual salary schedule as basis for salaries for certificated employees

WAC 392-121-200 through 299 Definition — Certificated years of Experience

Management Resources: Policy News, December 2005 Addition to Certificated Staff Course Options

Adoption Date: 091906

School District Name: Naselle-Grays River Valley School District

Garnishment and Personal Credit Problems

Garnishment shall mean a legal stoppage of a specified sum from wages to satisfy a creditor.

Any writ of garnishment will be received and signed by the superintendent. Following such notice, the notice shall be:

- A. Forwarded to the personnel department for purposes of recording and authorizing prompt action, and
- B. Forwarded to payroll to make the necessary changes to the staff member's wages, and to draft a warrant for the garnished amount to be written and forwarded to the creditor as directed.

The personnel department will notify the staff member, in writing, that the garnishment is being processed and will direct the staff member to seek debt counseling. The staff member will also be notified that, if three (3) garnishments are served within a period of twelve (12) consecutive months, the staff member may be terminated.

Date: 031902

Personnel Leaves

Upon the recommendation of the superintendent and in accordance with the law and district policy, staff may be granted leaves pursuant to the following conditions, unless the applicable collective bargaining agreement provides otherwise:

- A. **Leave at Full Pay Unless Stated Otherwise.** Leaves will be with pay unless otherwise stated. If leaves are to include expenses to be paid by the district, that also will be specifically stated.
- B. **Leaves in Units of Full or Half Days.** Leaves may be granted in units of half or full days only.
- C. **Return from Leaves.** At the end of any leave shorter than 20 days in duration, sabbatical leave, or sick leave which does not exhaust the staff member's accumulated sick leave, the affected staff member is entitled to return to the position held when the leave commenced or to an appropriate comparable position.

Except as may otherwise be specifically provided by law or district policy, a staff member will be entitled to a position in the district subject to the availability of a position for which the staff member is qualified after leaves of longer duration.

- D. **Prior Notice of Application.** Reasonable advance notice is required for all leaves, with specific advance notice as stated in district policy.
- E. **Flexibility in Granting Leaves.** The superintendent, with approval of the board, may grant leaves to individuals who might not otherwise be covered, or extend leave in excess of the number of days provided by district policy, in unusual or exceptional circumstances.
- F. **Leaves Prorated for Part-Time Staff.** Part-time staff will be entitled to leave benefits, unless otherwise stated in district policy, provided that the length of leaves will be prorated according to the ratio of days and/or hours worked to the number of days and/or hours worked by a full-time staff member in the same or a similar position.
- G. **Noncumulative.** Leaves will be noncumulative from year to year unless otherwise stated.

Unpaid Leaves

Upon employee request, the superintendent or designee has discretion to consider providing unpaid leave to employees in certain circumstances, including but not limited to, employees who refuse to provide proof of vaccination or refusal to obtain a medical or religious accommodation. The option to provide unpaid leave does not obligate the district to do so or in any way limit or prevent the district from pursuing other responses.

Cross References: 5411 - Staff Vacations
5410 - Holidays
5407 - Military Leave
5406 - Leave Sharing
5404 - Family, Medical, and Maternity Leave
5403 - Emergency and Discretionary Leaves
5401 - Sick Leave

Legal References: RCW 28A.400.300 Hiring and discharging of employees — Written leave policies — Seniority and leave benefits of employees transferring between school districts and other educational employers
AGO 1980 No. 22 Limitation on compensated leave for school district employees

Adoption Date:

Classification: **Essential**

Revised Dates: **04.98; 12.00; 12.11; 10.21**

SICK LEAVE

The district shall grant each full-time, certificated and classified staff member of the district 12 sick leave days annually. Unused sick leave may be accumulated on a year-to-year basis up to a maximum of the number of contract days in a contract period, not to exceed one year.

The district may require a signed statement from a physician for any absence in excess of five consecutive days. If sick leave benefits are exhausted, the board may grant leave without pay for the balance of the year upon the recommendation of the superintendent.

Attendance Incentive

In January of the year following any year in which a minimum of 60 days of sick leave is accrued, and each January thereafter, any eligible staff member may exercise an option either:

- A. To receive remuneration for unused sick accumulated in the previous year in an amount equal to one day's monetary compensation of the staff member for each four full days of accrued sick leave in excess of 60 days; or
- B. To add that year's sick leave to the staff member's accumulated sick leave.

All such leave for which the staff member receives compensation shall be deducted from accumulated sick leave at the rate of four days for every one day's monetary compensation. A staff member may cash-out all accrued sick leave at the above rate at the time of separation due to retirement, provided that the retiree provides documentation from the appropriate state retirement system. Such leave shall be accrued at the rate of no more than one day per month.

The administrator of the estate of a deceased staff member may also cash-out all accumulated sick leave at the rate of one day's monetary compensation for every four days of leave. A certified copy of the death certificate must be submitted to the district office or proper documentation of court appointment as administrator of the estate.

An employee who is at least age fifty five, has ten years of service in the retirement system, and is a member of either the teachers' or school employees' retirement system plan 3, or is at least age fifty-five, has at least fifteen years of service in the retirement system and is a member of either the teachers' or school employees' retirement system plan 2 may cash-out all accumulated sick leave at the rate of one day's monetary compensation for every four days of leave at the time of separation from employment.

Earned sick leave shall not be accumulated in excess of 180 days as of December 31 of each year, except that an employee may exercise the annual January cash-out option for all days accumulated in excess of this maximum.

Legal References: RCW 28A.400.210 Employee attendance incentive program —
Remuneration for unused sick leave
RCW 28A.400.300 Hiring and discharging employees — Leaves for
employees — Seniority and leave benefits,
retention upon transfers between schools
Chapter 392-136 WAC Conversion of Accumulated Sick Leave
AGO 1963-64 No.98 Sick leave for certificated and noncertificated
employees
AGO 1980 No.22 Limitation on compensated leave for school
district employees

EMERGENCY LEAVE

Emergency leave may be granted for no more than 12 days per year and may be taken in the case of emergencies as defined in the following:

An emergency arises out of unforeseen and unexpected circumstances which create an air of crisis or extreme need. The circumstances must present a grave and clear danger that imminently threatens physical or mental health or would result in irremediable harm or in immediate disaster to life or property unless some action is taken.

A written application for emergency leave must be returned to the district office on the day of return to school.

Family Emergency Leaves

The board recognizes that the demands of the workplace and of families need to be balanced to promote family stability and economic security for school district employees. Conditions for the authorized use of accumulated leave for family leaves are to be fairly construed in a manner consistent with this policy, and other relevant district policies. Unless otherwise stated, any leave used under terms of this policy shall be deducted from the staff member's accumulated sick leave. In the event the staff member's sick leave has been exhausted, the leave shall be granted without pay.

Unless a situation is governed by an applicable collective bargaining agreement, the following shall apply:

A. Domestic Violence Leave

The district shall allow victims of domestic violence, sexual assault, or stalking and family members of victims to take reasonable leave from work, intermittent leave or leave on a reduced leave schedule. The leave may be sick leave, other accrued leave or leave without pay. Family member includes a child, spouse, parent, parent in-law, grandparent or an individual with whom the victim has a dating relationship. The employee shall provide advance notice of their intent to take leave. If advance notice is not possible, due to an emergency, notice should be provided no later than the end of the first day that the employee takes the leave.

B. Family Illness

District staff members may use accrued sick leave or other accrued leave, at the employee's choice, to care for a child of the employee with a health condition that requires treatment or supervision. Staff members may use accrued sick leave or other accrued leave, at the employee's choice, to care for a spouse, parent, parent-in-law or grandparent of the employee who has a serious health condition or an emergency condition. The district may require a signed statement from a licensed medical practitioner to verify the need for treatment, care or supervision for any absence that exceeds five (5) consecutive days.

C. Death in the Family

The district shall allow each full-time staff member a maximum of 12 days leave upon the death of an employee's spouse, mother, father, son, daughter, sister, brother, mother-in-

law, or father-in-law. Leave also shall be allowed upon the death of a son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandmother, grandfather, granddaughter or grandson. The deaths of more than one family member resulting from a common occurrence shall be treated as a single death with respect to the length of leave granted.

D. Birth or Adoption of a Child

The district shall grant leave upon the same terms to male employees as is available to female employees upon the birth or adoption of the employee's child. Leave shall be granted upon the same terms to employees who become adoptive parents or stepparents, at the time of birth or initial placement for adoption of a child under the age of six, as is available to employees who become biological parents. Such leave is available only when the child lives in the employee's household at the time of birth or initial placement.

Employee requests for leave of absence due to birth or initial placement for adoption of a child shall be submitted in writing to the superintendent not less than 30 days prior to the beginning date of the leave. The notice shall include the approximate beginning and ending dates for the leave requested.

An extended unpaid leave of absence for a period up to the beginning of the next school term or school year may be approved at the discretion of the superintendent based upon consideration of educational program needs and the desires of the staff member, together with any recommendation of professionals such as medical practitioners or counselors regarding the leave request.

Nothing in this section shall preclude the use of accumulated sick leave to care for a child with a health condition that requires treatment or supervision, as provided in the *Family Illness* section of this policy.

Sabbatical Leaves

Certificated staff will be eligible for sabbatical leave for study or research. The district may grant sabbatical leaves of absence for study and/or research upon application by certificated staff, the recommendation of the superintendent, and approval by the board, provided such a leave will serve the best interest of the district and is within the fiscal parameters of the district. The district will declare its intention by February 1. Certificated staff will be eligible for sabbatical leave for study or research. Sabbatical leave will be granted according to the following stipulations:

- A. Years to Qualify: Staff will have served _____ or more continuous years in the district.
- B. Limit on Number: Sabbatical leaves may be granted up to one full year to not more than _____ percent of the total certificated staff of the district in any one year, the number granted to be subject to determination by the board upon the recommendation of the superintendent.

- C. Application Deadline: Applications for sabbatical leave will be filed with the superintendent not later than _____ days prior to the school year for which it is requested. The board may, at its discretion, extend this deadline.
- D. Proposed Plan to Accompany Application: A proposed plan of study or research to which the time spent on leave will be devoted must accompany the application.
- E. Criteria for Evaluation of Applications: Applications will be evaluated on the following three criteria:
1. The merit of the proposed plan of study or research and its relationship of service to the district in terms of the individual's professional background.
 2. Proportionate representation of the different levels of district schools, such as elementary, middle school, senior high school, and administration.
 3. Seniority will be considered.
- F. Final Approval by Board: Applications approved by the superintendent will be presented to the board for final approval. Once approved by the board, any change of sabbatical plan will be presented in writing and approved by the superintendent in advance of the leave.
- G. Two-Year Studies: An applicant who is taking part in a two-year study may, upon evaluation of his/her program, request one year of sabbatical leave and a preliminary commitment, subject to district staffing needs, for an additional one-year leave of absence.
- H. Scholarship for Study or Research: Should the staff member who is granted a sabbatical leave receive a scholarship during the same year as the sabbatical, the total compensation from the two sources will not exceed the salary he/she would receive if under regular contract with the district for full-time service.
- I. Stipend for Study or Research: A staff member on sabbatical leave for study or research will receive a stipend of _____ percent of his/her regularly contracted salary unless this sum is reduced as a result of section H above. The stipend will be paid in ten or twelve payments at the option of the applicant. All regular salary deductions will be made.
- J. Stipend Considered a Loan: The stipend received is a loan. Should a staff member on sabbatical leave fail to return to the district, he/she will then repay the loan within _____ years at the interest rate of _____ percent or at that rate provided in RCW 19.52.010, whichever is greater.
- K. Cancellation of Loan: The stipend will be canceled in the following manner upon the return of the staff member to the district:
1. One-half of the total loan will be canceled after the first year of service in the district;
 2. The remaining one-half of the loan will be canceled after the second year of service in the district.

- L. Maintenance of Tenure and Salary Standing: A staff member granted sabbatical leave will maintain standing in tenure and salary.

- M. Limit on Other Employment: A staff member on sabbatical leave for study or research will not seek employment for compensation during the period of sabbatical other than to supplement sabbatical leave income in carrying out the approved program. Such employment must be approved by the superintendent and the board and, when combined with the sabbatical stipend, will not exceed the salary he/she would receive if under regular contract with the district for full-time service.

- N. Report Required Upon Return: Within 30 days of a staff member's return from sabbatical leave, the staff member will file with the superintendent a report giving the substance of the program of study or research in which he/she is engaged, and indicating the value which he/she believes grew out of the experience. If the staff member was employed for compensation during the program, full details of the employment and income should be included in this report.

- O. Leaves to Accept Scholarships: Staff may at any time request leave to accept scholarships of up to one full year which would not involve the district in any financial obligations, in which case all other provisions of the sabbatical leave policy except the percentage limitation would apply.

- P. Return to Original Position: An effort will be made to replace a certificated staff member returning from sabbatical leave in his/her original position or in an appropriate comparable position.

Leaves of Absence

The district may grant leaves of absence for specific periods of time for up to one school year upon application by a staff member, the recommendation of the superintendent and the approval of the board. Such leaves will be without pay or fringe benefits and, with the approval of the board, and may be extended for one additional school year. During the leave the staff member may pay the district's share of any insurance benefits program in order to maintain those benefits. The needs of students and the district program warrant primary consideration. Leaves of absence will be granted only when they will not have an undesirable impact upon the educational program or business operations.

A staff member will be entitled to return to a position in the district at the end of the leave of absence subject to the availability of a position for which the staff member is qualified. The staff member granted a leave of absence will inform the board by April 1 as to his/her intentions to assume a position in the district for the ensuing school year. If said notification is not received, the individual's employment rights with the district will be terminated. Staff on leave of absence will not earn any salary schedule experience credit or any sick leave credit or benefits during the leave of absence.

Leaves to Attend Meetings/Conferences

The district may grant leaves, subject to the recommendation of the superintendent and approval by the board, to staff for the purpose of attending meetings or conferences that are likely to be of value to the staff member's performance. Meetings and conferences wherein bargaining unit activities are conducted are excluded. Such leaves may be granted without pay and with or without travel expense reimbursement.

Cross Reference: Board Policy 5021 **Applicability of Personnel Policies**

Legal References: RCW 28A.400.300 **Hiring and discharging employees**
— Written leave policies —
Seniority and leave benefits of
employees transferring
between school districts

Page 3 of 4

RCW 49.12.270 **Sick leave, time off — Care of**
family members

Chapter 49.76 RCW **Domestic Violence Leave**

Management Resources:

Policy News, October 2011

Policy News, April 2009

Policy Manual Revisions

Domestic Violence Leave

Adoption Date: 111511

School District Name:

Revised: 04.98, 08.02; 04.09; 10.11

Classification: Discretionary

Family, Medical, and Maternity Leave

I. State Paid Family and Medical Leave

Paid family and medical leave are benefits administered by the Washington State Employment Security Department. Employees interested in applying for these benefits must follow the process described in Chapter 192-610 WAC. Employees who have questions regarding the application process may contact the Employment Security Department or visit its website at paidleave.wa.gov. The district will post notices made available by the Employment Security Department that provide pertinent information regarding paid family and medical leave benefits.

A brief description of the paid family and medical leave benefits program is provided below. The description is not meant to capture every aspect of the program; rather, it is meant to give a general overview.

Eligibility

Employees who have worked 820 hours during the first four of the last five completed calendar quarters or the last four completed calendar quarters are eligible for paid family and medical leave.

Reasons for leave

Family leave means leave taken by an employee from work for the following reasons:

- A. To participate in providing care, including physical or psychological care, for a family member made necessary by a serious health condition of the family member;
- B. To bond with the employee's child during the first 12 months after the child's birth, or the first 12 months after the placement of a child under the age of eighteen within the employee; or
- C. Because of any qualifying exigency as permitted under the federal family and medical leave act for family members as defined by RCW 50A.05.010(10).
- D.

Medical leave means any leave taken by an employee from work made necessary by the employee's own serious health condition as defined by RCW 50A.05.010(20).

Amount of leave

Employees may take up to 12 weeks of paid family leave during a period of 52 consecutive calendar weeks.

Employees may take up to 12 weeks of paid medical leave during a period of 52 consecutive calendar weeks. Paid medical leave may be extended by two weeks if the employee experiences a serious health condition with a pregnancy that results in incapacity.

Employees may take a combined 16 weeks of paid family and paid medical leave during a period of 52 consecutive calendar weeks. The combined total may be extended to 18 weeks if the employee experiences a serious health condition with a pregnancy that results in incapacity.

Employee notice to district

An employee must provide the district at least 30 days' written notice before paid family or medical leave is to begin if the need for the leave is foreseeable based on an expected birth, placement of a child, or planned medical treatment for a serious health condition.

An employee must provide the district written notice as soon as practicable when 30 days' notice is not possible because of a lack of knowledge of approximately when leave will be required to begin, because of a change in circumstances, or because of a medical emergency.

An employee must provide the district written notice as soon as is practicable for foreseeable leave due to a qualifying military exigency, regardless of how far in advance such leave is foreseeable.

The notice must be in writing and contain at least the anticipated timing and duration of the leave.

District notice to employee

Whenever the district becomes aware that an employee is absent from work for more than seven consecutive days to take family or medical leave, the district must will provide the employee with a written statement provided by the Employment Security Department of the employee's rights.

The notice will be sent by the fifth business day after the employee's seventh consecutive missed day of work due to family or medical leave or by the fifth business day after the employer becomes aware that the employee's absence is due to family or medical leave, whichever is later.

Employment restoration

Upon return from paid family or medical leave, an employee is entitled to be restored to the position of employment held by the employee when the leave commenced or to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

As a condition of restoration for employees who have taken medical leave, the district may require those employees to receive certification from their health care provider that they are able to resume work.

The district may deny restoration to any salaried employee who is among the highest paid ten percent of its employees if the following apply:

- A. Denial is necessary to prevent substantial and grievous economic injury to the operations of the employer;
- B. The district notifies the employee of its intent to deny restoration on such basis at the time the district determines the injury would occur; and
- C. The leave has commenced and the employee elects not to return to employment after receiving the notice.

The district may also deny restoration if the employee would not otherwise have been employed at the time of reinstatement.

If the district chooses to deny restoration, it will provide written notice of such denial in person or by certified mail. The notice will include a statement that the district intends to deny employment restoration when the leave has ended, the reasons behind the decision to deny restoration, an explanation that health benefits will still be paid for the duration of the leave, and the date on which eligibility for employer-provided health benefits ends.

The rights described above only apply in the following circumstances: the district has 50 or more employees; the employee has been employed by the district for twelve months or more; and the employee has worked for the district for at least 1,250 hours during the 12 months immediately preceding the date on which leave will commence.

II. Federal Family and Medical Leave

General provisions

Every employee of the district who has worked for the district at least one year and for at least 1,250 hours in the preceding year is entitled to twelve (12) workweeks of family leave during any twelve (12) month period to do the following:

- A. Care for a newborn child, an adopted child of the employee who is under the age of eighteen at the time of placement for adoption, or a newly placed foster child;
- B. Care for a spouse, parent or child of the employee who has a serious health condition, or the employee may obtain leave for his or her own serious health condition if it renders the employee unable to perform his or her job; or
- C. Respond to a qualifying exigency occurring because the employee's spouse, son or daughter, or parent is on active duty or has been notified of pending active duty in support of a contingency operation.

An employee who is the spouse, son or daughter, parent or next of kin of a service member who is recovering from a serious illness or injury sustained while on active duty is entitled to twenty six (26) weeks of unpaid leave in a 12 month period to care for the service member.

Family leave authorized under this policy must be taken full-time and consecutively unless an alternative schedule is approved by the superintendent or designee or where intermittent or reduced leave is medically necessary. Instructional staff may not take reduced or intermittent leave when it would constitute 20 percent of the number of working days in the period during which the leave would extend without the approval of the superintendent or designee. An instructional employee may be transferred to an alternative equivalent position that would accommodate reduced or intermittent leave, if such a position is available.

A period of family leave is in addition to any sick leave taken due to the employee's temporary disability attributable to pregnancy or childbirth.

The superintendent or designee may require written verification from the employee's health care provider when the employee is taking medical leave based on his or her own serious health condition.

The district may obtain the opinion of a second health care provider, at district expense, concerning any information pertinent to the employee's leave request. If the opinions of the health care providers differ on any matter determinative of the employee's eligibility for family leave, the two health care providers will select a third provider, whose opinion, obtained at the employer's expense, will be conclusive.

Birth or adoption

Leave taken for newborn or adopted childcare will be completed within one year after the date of birth or placement for adoption.

The district will grant leave upon the same terms to male employees as is available to female employees upon the birth or adoption of the employee's child. Leave will be granted upon the same terms to employees who become adoptive parents or stepparents, at the time of birth or initial placement for adoption of a child under the age of six, as is available to employees who become biological parents. Such leave is available only when the child lives in the employee's household at the time of birth or initial placement.

Employee requests for leave of absence due to birth or initial placement for adoption of a child will be submitted in writing to the superintendent or designee not less than 30 days prior to the beginning date of the leave. The notice will include the approximate beginning and ending dates for the leave requested.

If both parents of a newborn or newly adopted child are employed by the school district, they will be entitled to a total of twelve workweeks of family leave during any twelve month period, and leave will be granted to only one parent at a time. There is no pooling effect for spouses if the family leave is related to a serious health condition.

Employment restoration

Any employee returning from an authorized family leave will be entitled to the same position held by the employee when the leave commenced, or to a position with equivalent benefits and pay.

An employee may be denied restoration under the following circumstances: a) the specific job is eliminated by a bona fide restructuring, or a reduction-in-force resulting from lack of funds or lack of work, b) an employee on family leave takes a position with another employer outside the home, c) the employee fails to provide the required notice of intent to take family leave or fails to return on the established ending date of leave, d) or as otherwise allowed by law. If an employee fails to return from family leave, the district may recover the costs of the employee's health benefits paid during the leave.

Instructional staff may be required to delay their return from family leave to the beginning of the next semester under the following circumstances:

- A. The employee began leave five or more weeks before the end of the semester, the leave is for more than three weeks, and the employee would otherwise return to work within three weeks of the end of the semester.
- B. The employee began family leave (except for a personal health condition) less than five weeks before the end of the semester, the leave is for more than two weeks, and the employee would otherwise return to work within two weeks of the end of the semester.
- C. The employee began family leave (except for a personal health condition) three or fewer weeks before the end of the semester and the period of leave is more than five working days.

III. Maternity Leave

A staff member may use accumulated paid sick leave for the period of actual disability attributable to pregnancy or childbirth. This period will extend from the date of birth for a period of not more than 60 days, unless an actual period of disability which begins prior to the date of birth or continues beyond 60 days is otherwise verified in writing by the employee's physician.

If the employee's accumulated sick leave is exhausted during the period of maternity, the district will grant a leave of absence without pay or fringe benefits, upon the staff member's request, for the remainder of the period of actual disability due to pregnancy or childbirth.

During any unpaid portion of such leave of absence, the staff member may pay the premiums for any district insurance plans to keep coverage in effect for the employee and her family.

Notice

A pregnant staff member is requested to notify her immediate supervisor and the superintendent or designee by the beginning of the fifth month of pregnancy.

At the time of such notice the staff member will submit a written request to her immediate supervisor and the superintendent or designee for one or more of the following:

- A. Maternity leave for the period of her actual disability due to pregnancy or childbirth;
- B. Family leave for a period of up to 12 weeks, in addition to any period of maternity disability leave, the district will extend the employee's health benefit during this period of unpaid leave;
- C. Leave of absence for a period of up to the beginning of the next school term or school year. Such extended leave of absence may be approved at the discretion of the superintendent or designee based upon consideration of educational program needs and the desires of the staff member, together with the recommendation of her personal physician or licensed practitioner; or
- D. Termination of employment by resignation.

The notice to the district will include the approximate beginning and ending dates for the leave.

Employment conditions

A pregnant staff member may continue working as long as she is capable of performing her normal duties, with the written approval of her physician or licensed practitioner.

The staff member may return to work when physically able to perform her duties. If the employee intends to return to work within 60 days of childbirth, her personal physician or licensed practitioner must certify that the staff member is in good health and ready to resume her duties.

No later than 30 days after the date of birth, the staff member is requested to notify the superintendent or designee of the specific date when she will return to work. Unless the superintendent or designee approves an earlier date of return, the employee will give at least 14 days advance notice of the actual date of return.

The staff member will return to her duties following an extended leave of absence on the date approved by the superintendent or designee. If the employee is still experiencing a disability due to pregnancy, miscarriage, abortion, childbirth or recovery which prevents the employee from performing her duties on the scheduled date of return, an additional period of unpaid leave of absence may be approved at the discretion of the superintendent or designee based upon consideration of educational program needs and the recommendation of the employee's personal physician or licensed practitioner.

Assignment upon return

An employee who has taken a leave of absence only for the actual period of disability relating to pregnancy or childbirth or up to twelve weeks of family leave will return to the same assignment, or a similar position for which she is qualified with at least the same pay and benefits, as she held prior to the maternity leave or family leave.

Upon return from an extended maternity leave, a staff member will be entitled to a position in the district subject to the availability of a position for which she is qualified. An effort will be made to place the staff member in her original position or in a comparable position.

Cross References: 5021 - Conflicts Between Policy and Bargaining Agreements

Legal References: RCW 28A.400.300 Hiring and discharging of employees —
Written leave policies — Seniority and leave benefits of
employees transferring between school districts and other
educational employers
Title 50A RCW Family and Medical Leave
WAC 162-30-020 Pregnancy, childbirth, and pregnancy related
conditions
Chapter 192-500 WAC through Chapter 192-800 WAC Paid
Family and Medical Leave
29 USC Sec 2601 Family and Medical Leave Act of 1993
29 CFR 825 Family and Medical Leave Act of 1993

Management Resources: 2019 – October Issue

2011 - October Issue
2009 - April Issue

Adoption Date: December 17, 2019
Classification: **Essential**
Revised Dates: **04.98; 04.09; 10.11; 12.11; 10.19**

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LEAVE SHARING

The district shall establish and administer a leave sharing plan in which eligible employees may donate excess leave for use by a staff member who is suffering from, or has a relative or house-hold member suffering from, an extraordinary or severe illness, injury, impairment or physical or mental condition or who has been called to service in the uniform services.

Such a program is intended to extend leave benefits to a staff member who otherwise would have to take leave without pay or terminate his or her employment with the district.

The superintendent is directed to establish procedures to donate leave to an eligible recipient who accrue annual leave and sick leave and staff members who accrue leave to be used for illnesses, injuries or emergencies. The superintendent is directed to administer the leave sharing plan in a manner consistent with state law and applicable collective bargaining agreements.

Cross Reference:	Board Policy 5021	Applicability of Personnel Policies
Legal References:	RCW 28A.400.380	Leave sharing program
	41.04.650-665	Leave sharing program
	WAC 392-126-004-104	Finance — Shared Leave

Management Resources:

Policy News, October 2010 Leave Sharing

Policy News, October 2004 Revisions to the State Leave Sharing Program

Policy News, August 1999 Staff may share personal holiday

Adoption Date: 121410

Naselle-Grays River Valley School District

Revised: 08.99; 10.04; 10.10

Classification: Essential

Leave Sharing

A. A district employee is eligible to receive donated leave if:

1. The staff member suffers from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment or physical or mental condition which has caused, or is likely to cause, the staff member to:
 - a) Go on leave-without-pay status; or
 - b) Terminate his/her employment;
2. The staff member's absence and the use of shared leave are justified by documentation;
3. The staff member has depleted, or will shortly deplete, his/her annual leave and sick leave reserves;
4. The staff member has abided by district rules regarding sick leave use; and
5. The staff member has diligently pursued and been found to be ineligible to receive industrial insurance benefits.

The superintendent shall determine the amount of leave, if any, which a staff member may receive under this policy. However, a staff member shall not receive more leave than the number of contracted days remaining in the current school year. In the event that the condition requiring the employee's absence continues beyond the current school year, the employee shall not receive a total of more than 261 days of leave.

B. District employees may donate leave as follows:

1. A staff member who has an accrued annual leave balance of more than ten (10) days may request that the superintendent transfer a specified number of days to another person authorized to receive shared leave, or to the district's annual leave pool. A staff member may not request leave to be transferred that would result in an accrued annual leave balance of fewer than ten (10) days.
2. A staff member who accrues annual leave and sick leave may request that the superintendent transfer sick leave to a person authorized to receive shared leave, or to the district's shared leave pool. A donating member must retain a minimum of 176 hours of sick leave after the transfer.
3. A staff member who does not accrue annual leave but who has an accrued sick leave balance of more than twenty-two (22) days may request that the superintendent transfer a specified amount of sick leave to another staff member authorized to receive such leave, or to the district's shared leave pool. A staff member may not request a transfer that would result in an accrued sick leave balance of fewer than twenty-two (22) days. Sick leave as defined in RCW 28A.400.300 means leaves for illness, injury and emergencies.
4. A staff member who receives personal holiday leave may request that the superintendent transfer a specified amount of personal holiday leave to another staff member authorized to receive shared leave, or to the district's shared leave pool. A staff member may request to transfer no more than eight (8) hours of personal holiday leave during any calendar year.
5. The number of leave days transferred shall not exceed the amount authorized by the donating staff member.
6. Any leave donated by a staff member which remains unused shall be returned to the donor. To the extent administratively feasible, leave transferred by more than one staff member shall be returned on pro-rata basis.

C. Leave shall be calculated on a day-donated and day-received basis.

Date: 12.00; 10.14; 10.10

MILITARY LEAVE

The district shall grant military leave as provided by law to each staff member who is a member of a United States Military Reserve Unit or a member of the Washington National Guard for a period not to exceed twenty-one days during each year beginning October 1st and ending the following September 30th, provided such reservist has been called to, or volunteered for, active duty or active duty training. Such military leave of absence shall be in addition to any vacation or sick leave to which the staff member may be entitled and shall not result in any loss of rating, privileges, or pay. During the period of military leave, the staff member shall receive his/her normal pay from the district.

Employees whose school district employment is interrupted by up to five years of service in a uniformed service are entitled to re-employment by the district following their discharge. The superintendent shall adopt procedures to implement these re-employment rights consistent with state and federal law.

Military Leave – Spouse

The district shall allow an employee who is the spouse of a military member of the U.S. Armed Forces, National Guard, or Reserves to take up to fifteen (15) days leave during a period of military conflict when: (1) the military spouse is on leave from a deployment; or (2) prior to deployment once the military spouse receives official notification of an impending call or order to active duty. The employee must work an average of twenty hours or more each week for the district.

The employee is entitled to fifteen days of leave for each deployment. The employee must provide the district notice of intent to take leave within five business days of the call to active duty or notice of leave from deployment.

Cross References:	Board Policy 5404	Family Leave
Legal References:	RCW 38.40.060	Military leaves for public employees
	RCW 49.77	Military Family Leave Act
	RCW Ch. 73.16	Employment and Re-employment
	AGO 61-62 No. 081	Public Employees — State and Municipal employees — Military leave — Reserve meetings
	38 USC 4301-4335	Uniformed Services Employment and Reemployment Rights Act

Management Resources:

Policy News, April 2009	Military Leave
Policy News, February 2009	Military Leave
Policy News, June 2001	State Updates Military Leave Rights

Adoption Date: 101910
Naselle-Grays River Valley School District

Procedure 5407P

Military Leave

Employees whose employment with the district has been interrupted by service in the uniformed services have the following re-employment rights:

Service in the uniformed services means: active duty, active duty training, initial active duty training, inactive duty training, full-time national guard duty (including state-ordered active duty) and examinations for fitness for duty.

If the employee was engaged in military service for up to and including ninety days, the employee will be re-employed in the position he or she would have attained if there had been no interruption of employment.

If the employee was engaged in military service for more than ninety days, the employee will be re-employed in a position of comparable seniority, status and pay as he or she would have attained without interruption of employment.

A district employee who has a service-connected disability shall be re-employed in a position of similar seniority, status and pay for which the employee is qualified or becomes qualified with reasonable accommodation by the district.

In order to be eligible for re-employment, the employee returning from military service must apply for re-employment as follows:

If military service was up to and including thirty days, the employee must report for work at the beginning of the first full work day at least eight hours after the employee has had time to return to his or her residence following the completion of the military service.

For service from 31 to 180 days, the employee must submit an application for reemployment within fourteen days of completing military service.

For service over 180 days, the employee must submit an application for re-employment within ninety days of completing military service.

The application time lines shall be extended if it was impossible or unreasonable for the employee, through no fault of his or her own, to report for re-employment. The application time lines shall be extended for up to two years if the employee is hospitalized or recovering from an injury suffered as a result of military service.

The employee may be required to document the timeliness of his or her application for re-employment, and the length and type of military service. If an employee does not comply with the timelines for returning to work or applying for re-employment, he or she is subject to district policies related to failure to report for work or exercise rights to re-employment.

Employees returning from military service shall receive the seniority and other benefits they would have received if their employment had been uninterrupted, except that employees may be required to pay the employee portion of any benefit that any other employee on a leave of absence would have had to pay. For retirement system purposes, no break in employment will be considered to have happened for employment interrupted by military service, and the district shall pay the employer's portion of the retirement system contribution for the time the employee was on military service.

The district will offer health insurance benefits for up to eighteen months of military service. For the first 31 days the employee will pay only the employee's share of the coverage, if any. After 31 days, the employee may only be charged up to 102% of the premium for the benefits.

Revised: 061609

JURY DUTY AND SUBPOENA LEAVE

The district may grant leaves to a staff member for the days he/she is required to serve on a jury.

Any compensation received by a staff member for jury duty performed on a contract day is to be reimbursed to the district. The district may grant a maximum of two days leave (witness fees to be reimbursed to the district) to staff subpoenaed as witnesses in court or other legal proceedings; provided that a leave with pay shall not be granted to a staff member for a case brought or supported by a staff member union or association or for a case in which the staff member has a direct or indirect interest in the proceedings.

On any day that a staff member is released from jury duty or as a witness by the court and four or more hours of the staff member's scheduled work day remain, the staff member is to immediately inform his/her supervisor and report to work if requested to do so.

Legal References: RCW 2.36 Juries

Adoption Date: 031902
Naselle-Grays River Valley School District

HOLIDAYS

The district shall observe the following school holidays and shall not operate on these days: Sunday, New Years' Day (January 1), Martin Luther King, Jr. Day (third Monday in January), President's Day (third Monday in February), Memorial Day (last Monday in May), Independence Day (July 4), Labor Day (first Monday in September), Veteran's Day (November 11), Thanksgiving Day (fourth Thursday in November), the day after Thanksgiving and Christmas Day (December 25). Whenever any legal holiday, other than a Sunday, falls on Sunday, the following Monday shall be a legal holiday, and whenever any legal holiday falls on a Saturday, the preceding Friday shall be a legal holiday.

In addition to the above, the following shall also be considered to be holidays: the day before Christmas, the day after Christmas and the day before New Years Day (December 24, December 26 and December 31).

Legal References: RCW 1.16.050 Legal holidays
 28A.150.050 School Holidays

Adoption Date: 031902
Naselle-Grays River Valley School District

STAFF VACATIONS

Regular full-time employees (12 months/year) shall accrue vacation leave according to the following guidelines (unless an applicable collective bargaining agreement or individual employment contract provides otherwise):

- A. During the first year of current continuous employment – 96 hours (12 days) per annum;
- B. During the second year of current continuous employment – 104 hours (13 days) per annum;
- C. During the third and fourth years of current continuous employment – 112 hours (14 days) per annum;
- D. During the fifth, sixth, and seventh years of current continuous employment — 120 hours (15 days) per annum;
- E. During the eighth, ninth, and tenth total years of employment – 128 hours (16 days) per annum;
- F. During the eleventh year of total employment — 136 hours (17 days) per annum;
- G. During the twelfth year of total employment — 144 hours (18 days) per annum;
- H. During the thirteenth year of total employment — 152 hours (19 days) per annum;
- I. During the fourteenth year of total employment — 160 hours (20 days) per annum;
- J. During the fifteenth year of total employment — 168 hours (21 days) per annum;
- K. During the sixteenth year of total employment and each year thereafter — 176 hours (22 days) per annum.

Regular full-time employees may not use any vacation leave until employed for a minimum of six months. Vacation leave for regular part-time employees shall be computed on a pro rate basis.

Vacation leave must be taken within the 12-month period following the time when vacation was earned, except that a maximum of 30 days may be accumulated and carried over to the following year.

When employees separate from service by reason of resignation, layoff, dismissal, retirement, or death they are entitled to a lump sum payment of unused vacation leave. No contributions will be made to an employee's retirement system for accrued vacation leave in excess of 30 days.

Classified employees must schedule vacation with their supervisors at least two weeks in advance of the first day of vacation leave. Vacation schedules must recognize the operational needs of the district and are subject to the approval of the supervisor.

When a situation arises while an employee is on paid vacation leave for which the employee is entitled to other leave (e.g. illness, injury, or death of a relative), the employee shall be granted such leave (in lieu of the approved vacation leave) provided that the employee submits a request within fourteen (14) days after returning to work indicating the type of leave requested and the circumstances requiring the change in leave status.

Cross Reference: Board Policy 5021 Applicability of Personnel Policies
Legal References: RCW 41.50.150 Retirement benefits based on excess
compensation — Employer liable for
extra retirement costs
WAC 415-108-510 (PERS) First-in-first-out
415-112-415 (TRS) accounting method for
determining when leave earned

AGO 1976 No. 10 Accumulation of sick leave while on leave

Adoption Date: 031902
Naselle-Grays River Valley School District

RETIREMENT PROGRAMS

Staff shall become members of the Federal Income Contribution Act (Social Security System) and the Washington State Teachers' Retirement System or the Washington Public Employees' Retirement System as required by law. The district shall make contributions to these retirement systems in behalf of staff according to law and shall make payroll deductions from staff wages and salaries for the staff contributions to these programs as required by law. No contributions will be made to an employee's retirement system for accrued vacation leave in excess of 30 days.

Location Pay

Compensation for time not actually worked which an employee receives for being required to remain at, or in the immediate vicinity of, a specific location or to report immediately to work should the need arise (even if the need does not arise) is known for retirement purposes as "location pay." The legislature calls the situation "standby status." An employee may earn retirement credit for location pay if the district establishes a specific policy which correctly defines location pay and describes the occasions on which the district will pay location pay. The definition of location pay does not apply if the employee is allowed to leave the specific location or property immediately adjacent to that location. Employees who are limited to a particular radius or must respond within a set time are not eligible for location pay nor are those who report to work only upon notification by pager or similar device. School bus drivers who, as a part of their bus route, are waiting to transport children receive general compensation for time actually worked.

In the event a staff member becomes disabled in the line of duty and is receiving Workmen's Compensation benefits, the district will continue to make retirement system contributions and shall collect employee contributions and pay such to the retirement system.

Legal References:	Chapter	41.32 RCW,	Teachers' Retirement
	Chapter	41.40 RCW	Washington Public Employees'
			Retirement System
	RCW	41.40.010(8)	Compensation earnable defined
	RCW	41.50.150,	Retirement benefits based on excess
			compensation — Employer liable for
			extra retirement costs

Adoption Date: 031902
Naselle-Grays River Valley School District

STAFF DEVELOPMENT

A. Professional Growth and Development for Nonadministrative Staff

Additional training and study are prerequisites for continued growth and effectiveness of staff members. It is also necessary for staff members with increased responsibilities and new demands. Staff are encouraged to gain additional job-related skills through special study or in-service training.

The district may participate in the state In-Service Training Act of 1977.

The district shall develop and adopt a professional growth program.

Each holder of a professional education certificate, except those exempted by State Board of Education regulation, shall complete 150 hours of continuing education study every five years, in order to maintain his or her certificate.

B. Professional Growth and Development for Administrators

The board recognizes that training and study for administrators contribute to their skill development necessary to better serve the needs of the school district. Each year the superintendent shall develop an administrative inservice program based upon the needs of the district, as well as the needs of individual administrators.

Cross References: Board Policy 5005 Employment: Disclosures, Certification
Requirements, Assurances and Approval
Board Policy 5240 Evaluation Staff

Legal References: RCW 28A.415.040 In-service training act
WAC 181-85-075 Continuing education requirement
181-85-200 In-service education approval standards
392-195 In-service training program
392-121-255 Definition — Academic credits
392-121-257 Definition — In-service credits
392-192 Professional Growth

Adoption Date: 061708
Naselle-Grays River Valley School District

Staff Development

Professional Growth Plan

The minimum elements of the district's professional growth plan shall be:

A. A Professional Growth Program Committee that will consist of at least the following: one teacher from the K-8 level; one teacher from the high school level; one itinerant certificated support staff person; one representative of counseling, assessment, library and/or other certificated support staff; one central office administrator; one K-8 building administrator; and one high school building administrator.

B. Certificated staff shall use one or more of the following sources of information in developing their individual professional growth plans: peer review and evaluation, input by parents, input by students, personal and/or professional goals, school district goals, building goals, self-assessment, personal academic records, and school district evaluations.

C. Materials, records or portfolios expressly developed as a result of an individual's participation in the professional growth program shall be the property of the participant, and shall not be retained in the employee's personnel file or used by the district in its formal evaluation process.

In-Service Training Program

In order to participate in the state In-service Training Program the district shall:

A. Conduct a needs assessment. Provide a signed statement of assurance to the superintendent of public instruction that the district shall implement the recommendations of the needs assessment.

B. Appoint, by the board of directors, an advisory in-service training task force comprised of representatives from central administration, building administration, teachers, classified and support personnel, an institution of higher education and the general public.

C. Establish with the advisory in-service training task force written goals and objectives, identify training activities relevant to the goals and objectives, and design evaluation procedures and criteria to assess the success of the training activities in meeting the goals and objectives.

A majority of the task force must concur.

D. Not supplant current district funding of existing in-service training and staff development programs with state In-service Training Program funds.

TEACHER ASSISTANCE PROGRAM

Continued professional study and in-service training are prerequisites for professional growth and development. The teacher mentor program is established for the purpose of selecting a highly-skilled teacher to provide continued and sustained support to a teacher, both in and out-side the classroom. For purposes of this program "beginning teacher" shall mean a teacher with fewer than ninety consecutive school days of certificated teaching experience in either a public or private school in any grade, preschool through twelve, and who is employed by the district for ninety consecutive school days or more. "Experienced teacher" means any teacher who exceeds the experience specifications cited above.

The superintendent is directed to establish procedures consistent with rules and regulations promulgated by the superintendent of public instruction. The board of directors shall approve of any teacher assistance program prior to submission to SPI. The district reserves the right to modify the program including: the selection process for the participants -- beginning, experienced and mentor teachers; the supervisory responsibilities of the mentor teacher; in-service training of beginning, experienced and mentor teachers, when it is to the advantage of the district to expand the program beyond that supported by the state grant.

Cross Reference: Board Policy 5203 Staff Assistance Program
Legal References: WAC 392-196 Teacher Assistance Program

Adoption Date: 082002
Naselle-Grays River Valley School District

Teacher Assistance Program

In compliance with rules and regulations promulgated by the superintendent of public instruction, the district assures that:

- A. The mentor teacher shall be paid a mentor teacher stipend of a minimum of \$950.00 which shall be incorporated into a supplemental contract.
- B. The beginning/experienced teacher shall be paid a stipend as set forth in the supplemental contract.
- C. The beginning and mentor teacher shall attend and shall be reimbursed by the district for travel expenses for three days attendance at required workshops or training sessions.
- D. The mentor teacher may be released from classroom teaching responsibilities in order to observe and assist the beginning or experienced teacher in the classroom.
- E. The mentor teacher, the beginning teacher and the experienced teacher may be released from classroom teaching responsibilities in order to jointly or separately observe each other or observe colleagues in teaching situations.
- F. The total release time from classroom teaching as stated in (D) and (E), above, shall be at least twenty-four scheduled instructional hours per school year.
- G. Mentor teachers shall not be involved in evaluations of their beginning or experienced teachers.
- H. The mentor teacher, the beginning teacher and the experienced teacher shall complete and forward to the superintendent of public instruction such evaluation reports of the teacher assistance program as requested by the superintendent of public instruction.
- I. Mentor teachers shall periodically inform their principals regarding the contents of training sessions and other program activities.

Selection Of Mentor Teacher

- A. A general announcement regarding the mentor teacher program and the application process shall be distributed to all staff members by April 1.
- B. A mentor teacher shall have been employed primarily as a teacher for one school year with the district and two additional years within any public or private school in any grade K-12.

A mentor teacher shall:

1. Demonstrate effective teaching skills.
2. Have a good understanding and perspective of district and building policies, procedures and programs.
3. Possess a high level of professional development/commitment.
4. Demonstrate good communication and interpretation skills.
5. Shall exhibit a high level of energy and enthusiasm and show evidence of a high level of creativity.
6. Be highly regarded by students, staff and the community.

C. The superintendent shall select the mentor teachers. Two classroom teachers, appointed by the teacher's bargaining unit, shall participate in the mentor teacher selection process.

Date: 082002

PROFESSIONAL, CIVIC AND SERVICE ORGANIZATION MEMBERSHIPS

Administrative staff are encouraged to be members of and participate in professional associations which have as their purposes the upgrading of school administration and the continued improvement of education in general.

Administrative staff are encouraged to be active participants in civic and service organizations in the community. The board of directors believes that the district will benefit from the participation of administrative staff in civic and service organizations in the community because of improved reciprocal understanding and communication between community leaders and district staff. This will lead to increased community support for the schools, school programs that are more responsive to the needs of the community and opportunities for cooperative support of school and community programs.

Membership fees, travel and meal costs attributable to an employee's participation in the following civic and service organizations will be paid by the district, subject to the restrictions of this and other district policies:

List the civic and service organizations for which the district will pay membership fees and ancillary costs here. The organizations must be specifically named in the policy and may only be added by board action.

The district will pay for participation in any given civic or service organization for no more than insert the number of staff here employees. (The number should be related to a considered judgment of the minimum number of memberships the district needs to pay for to receive benefit, not the maximum number of interested employees.) No district-paid multiple memberships are permitted unless the superintendent finds in writing that specific employees have a difference in perspective that will provide benefit to the district through their participation in the same organization.

For instance, principals that represent various schools and attendance areas might all provide benefit to the district by belonging to one community-wide service organization.

District payment of membership fees and related costs for participation in civic and service organizations is limited to staff in the following positions:

List the staff positions for which the district will pay membership costs here.

The district recognizes that there will be indirect costs attributable to participation in civic and service organizations for employee time. The district encourages full participation in organizations for which it is paying costs, although no employee may act as an officer or take a leadership role in more than one organization for which the district is paying the membership costs.

With prior written approval of the superintendent, the district will pay costs related to attendance at meetings related to membership in civic and service organizations covered by this policy, including conventions.

The district shall pay no more than insert dollar amount here per employee per year for costs related to membership in a civic or service organization covered by this policy.

The superintendent shall approve in writing all requests for district-paid memberships in civic and service organizations covered by this policy. By June 1st of each year the superintendent shall submit a written report to the board of directors including the staff and organizations for which membership costs have been paid, the number and circumstances of multiple memberships, the costs attributable to related meetings and the total costs attributable to this policy. Staff may be reimbursed for travel, meal or other appropriate expenditures related to district-paid membership in civic and service organizations pursuant to Policy No. 6213, Reimbursement for Travel Expenses.

Employees for whom the district pays any membership costs in civic and service organizations may not exert influence on other employees to provide financial contributions or other support to the civic or service organization. Neither may they use the civic or service organization as a forum for lobbying in support of or opposition to political or legislative actions, or the promotion of endeavors in which they may have a direct or indirect financial interest or may acquire a personal benefit or gain.



Substitute Employment

The board authorizes the employment of a certificated substitute in the absence of a certificated staff member. In addition, the district may use a substitute in place of a regularly-contracted staff member when:

- A. Enrollment uncertainties exist at the beginning of a school year; or
- B. Resignations of regular staff do not allow sufficient time for the district to employ an immediate replacement.

On either of the latter occasions the district will employ a contracted staff person within a reasonable time.

The superintendent will be responsible for establishing procedures by which teachers request substitutes and by which substitute teachers are assigned, employed and compensated.

Substitute teachers who have served for 20 full consecutive working days in the same assignment will, from the 21st day of service on, be paid according to the regular salary schedule of certificated staff.

The board authorizes the employment of a spouse of an officer as a substitute teacher when the superintendent deems that there is a shortage of substitute teachers in the district.

Retired teachers or administrators may work up to eight hundred sixty-seven (867) hours of employment.

If the superintendent reasonably anticipates that the list of qualified, willing substitutes will be exhausted, emergency substitute certification may be sought from the Office of the Superintendent of Public Instruction for persons not fully qualified for a teaching or substitute certificate. Substitutes holding emergency certification may only be assigned work when the list of fully-qualified substitutes is exhausted.

The board authorizes the employment of a classified substitute in the absence of a classified staff member when a program will be adversely affected by the regular staff member's absence and when a substitute can perform the duties in a reasonable manner. A classified substitute employee's eligibility to purchase retirement service credit will be determined according to RCW 41.35 and retirement system rules. Substitute classified employee means a classified employee who is employed by the district exclusively as a substitute for an absent employee. The superintendent is authorized to establish procedures relating to the use of substitute classified staff.

By October 1 of each year, the District will report to the office of the superintendent of public instruction: 1) The number of substitute teachers hired per school year; 2) the number of substitute teachers hired under the expedited certification process for out-of-state teachers; 3) the full daily compensation rate per substitute teacher; and 4) the reason for hiring the substitute teacher.

Cross References:

1610 - Conflicts of Interest 1st Class Districts
1610 - Conflicts of Interest 2nd Class Districts
5001 - Hiring of Retired School Employees
5612 - Temporary Administrators

Legal References:

Chapter 28A.300, RCW Superintendent of Public Instruction

RCW 28A.330.240 Employment Contracts
RCW 28A.400.300 Hiring and discharging employees
— Written leave policies — Seniority and leave
benefits of employees transferring between school
districts and other educational employers
RCW 28A.405.900 Certain certificated employees
exempt from chapter provisions
RCW 28A.410.010 Certification — Duty of
professional educator standards board — Rules —
Record check — Lapsed certificates — Superintendent
of Public Instruction as administrator
RCW 41.32.570 Postretirement employment —
Reduction or suspension of pension payments
Chapter 41.35 RCW Washington school employees'
retirement system
RCW 42.23.030(9) Interest in contracts prohibited —
Exceptions

Management Resources:

2016 - July Issue
2011 - August Issue
Policy News, June 2008 Substitute Employment
Policy News, August 2001 Legislature Authorizes
“Retire-Rehire”

Adoption Date: 11/15/16

Substitute Employment

The following procedures shall be in effect:

- A. Substitute teachers shall be contacted from the main office.
- B. Teachers who are ill and unable to be present for duty in the morning shall call the substitute secretary between 6 :00 a.m. and 7:00 a.m.
- C. Teachers who feel ill and do not expect to be able to teach the next day may call before 9:00 p.m. the preceding day instead of the next morning.
- D. The principal shall make an accurate and prompt report of all substitute services to the business office. The principal will also rate the substitute teacher on the proper form and return it to the substitute secretary.
- E. Principals will be responsible for keeping the record of days taught by the substitute and shall notify the district office when the 21st day of substituting shall begin.
- F. The superintendent's office will notify the substitute secretary in the event leave has been granted to a teacher, indicating the beginning and termination dates.

In the performance of their duties, substitute teachers shall be expected to:

- A. Have the same responsibilities and work day as regular teachers.
- B. Attend staff meetings unless excused by the principal.
- C. Follow the lesson plan prepared by the regular teacher or comply with the instructions from the principal. The principal shall review the lesson plans of the absent teacher when advance planning is possible. When not, the absent teacher shall have made provisions for the substitute in the daily plan book.
- D. On completing an assignment, prepare a definite statement of the work accomplished in each subject, specifying pages covered in various textbooks. New assignments should be noted in the teacher's assignment book or upon a card inserted in the desk copy of the text. All papers should be graded, records made and preparations for the next day completed.
- E. Maintain the "housekeeping" arrangements of the regular teacher.
- F. Administer no corporal punishment to a child. The principal should be contacted in the case of a serious behavior problem.
- G. Complete building reports, including:
 - 1. Attendance reports
 - 2. Student progress, report cards and warning slips after conferring with the principal.
 - 3. Communications to parents with the approval of the principal.
- H. Report to the principal's office before leaving the building in the evening to see if services are needed on the following day.

Substitutes for classified staff shall be contacted in the following manner:

- A. Food Services - The food service department will attempt to fill this temporary assignment by contacting one or more qualified individuals from the appropriate list.
- B. Transportation - The transportation department is authorized to fill this temporary assignment from a list of qualified drivers.
- C. Maintenance - Unless a state of urgency exists maintenance positions will not be filled by a substitute.
- D. Operations - The principal is authorized to employ a substitute custodian from the approved list.

E. Secretary - The principal is authorized to employ a substitute secretary from the approved list when the position is vital to the operation of the unit e.g., one-secretary school, attendance secretary, etc.

F. Teacher and Library Aide - The principal is authorized to employ a substitute when the role of the aide is critical to the operation of the unit e.g., playground aide, library aide.

The substitute for a classified staff member should report to the office of the unit administrator at the end of the day to determine if service, on the following day will be needed.

Date: 031902

TEMPORARY ADMINISTRATORS

Persons appointed as temporary replacements to perform administrative tasks in emergency situations, during times of workload fluctuations or employee absences, or on special projects of short-term duration will be considered temporary administrative employees. They will be employed and assigned by action of the board and will be compensated for services on the basis of salary rates within board approved budgetary allocations.

The appointment and service of a temporary administrative employee will be based on principles of performance, ability and qualifications, as for any other employment action, with consideration for the urgency and other circumstances of the district's need and for the immediate availability of persons qualified to fill the need.

If a retired administrator is hired as a temporary administrator, he/she may work up to 867 hours without affecting his/her retirement.

Cross Reference	Board Policy 5001	Hiring of Retired School Employees
Legal References:	RCW 28A.400.300	Hiring and discharging employees — Written leave policies — Seniority and leave benefits of employees transferring between school districts and other educational employers
	RCW 41.32.570	Postretirement employment — Reduction or suspension of pension payments
Management Resources:	<i>Policy News, August 2011</i>	Legislature refines the retire/rehire law
	<i>Policy News, October 2001</i>	“Retire-Rehire” Correction

Adoption Date: November 15, 2011
Naselle-Grays River Valley School District

VOLUNTEERS

The district recognizes the valuable contribution made to the total school program through the volunteer assistance of parents and other citizens. In working with volunteers, district staff shall clearly explain the volunteer's responsibility for supervising students in school, on the play-ground and on field trips. On field trips both students and volunteers are to be informed of the rules of student behavior and the means by which they are to be held accountable to those rules.

The superintendent shall be responsible for developing and implementing procedures for the utilization of volunteers. The selection and use of volunteers will be consistent with those policies and procedures as specified for unsupervised volunteers as specified in Policy 5005.

Cross References: Board Policy 5005 Employment: Disclosures, Certification
Requirements, Assurances and Approval
Legal References: RCW 43.43.830-840 Washington State Criminal Code
Records
WAC 446-20-285 Employment — Conviction Records

Volunteers

The voluntary help of citizens should be requested by staff through administrative channels for conducting selected activities and/or to serve as resource persons.

Volunteers shall:

- A. Serve in the capacity of helpers and not be assigned to roles which require specific professional training. Instructional services shall be rendered under the supervision of certificated staff.
- B. Refrain from discussing the performance or actions of a student except with the student's teacher, counselor or principal.
- C. Refer to a regular staff member for final solution of any student problem which arises, whether of an instructional, medical or operational nature.
- D. Receive such information as:
 1. General job responsibilities and limitations;
 2. Information about school facilities, routines and procedures;
 3. Work schedule and place of work;
 4. Expected relationship to the regular staff;
- E. Be provided appropriate training at the building level, if new volunteers, consistent with their tasks and existing district standards. This training shall be developed under the leadership of the principal in consultation with a district supervisor.
- F. Have assignments and activities carefully defined in writing. Examples of suggested duties for volunteers may include:
 1. Bulletin boards;
 2. Preparation of materials for art, science, math classes;
 3. Clerical duties including typing of dittos, stencils, inventories, putting booklets together, newsletters and related, student lunchroom counts and attendance and class records;
 4. Clean up activities,
 5. Library and audio visual duties;
 6. Assistance with physical education exercises;
 7. Instructional activities appropriate to the volunteer's training and classroom needs such as monitoring math assignments, listening to oral reading and others;
 8. Vision and hearing testing and approved medical surveys;
 9. School activities supervision; and
 10. Playground supervision with a staff member;
- G. Have their services terminated for these and other reasons:
 1. Program and/or duties completed;
 2. Resignation of the volunteer;
 3. Replacement by paid staff member; and
 4. Circumstances which in the judgment of the administration may necessitate asking the volunteer to terminate services.

Date: 031902

STUDENT TEACHERS

The board encourages cooperation with colleges and universities within the state in the training of student teachers. The district shall accept student teachers from accredited institutions of higher learning with which the district has a cooperative agreement approved by the board.

The board authorizes the superintendent to honor those reasonable rules, regulations and training guidelines of the teacher training institution. The teacher training institution shall be expected to provide liaison personnel who shall work cooperatively throughout the training process with the principal and the supervising teacher.

The superintendent shall coordinate the request for placement with building principals in order that excessive concentrations of student teachers in any given building shall be avoided. Student teachers shall comply with the policy of the district as it applies to certificated staff. The supervising teacher and the principal shall be responsible for the conduct of the student teacher.

Cross Reference: Board Policy 5521 Teacher Assistance Program

Adoption Date: 031902
Naselle-Grays River Valley School District

Student Teachers

The procedures for developing and implementing a student teacher agreement are as follows:

- A. The college representative shall present a student teacher agreement to the superintendent for review and approval.
- B. The superintendent shall coordinate the institution's request for placement with principals to determine if placements are possible in the subject areas requested.
- C. The college supervisor shall be notified of placements that can be accepted during the quarter.
- D. Assignment shall be made with the approval of the cooperating staff member and the principal.
- E. A student teacher shall be assigned to a teacher with no less than three years of teaching experience.
- F. A supervising teacher shall not be assigned more than one student teacher per school year.
- G. The supervising teacher shall be responsible for the class and should not delegate responsibilities until the student teacher has displayed the proficiency to accept them.
- H. A student teacher should assume the same conditions of employment as a regular teacher in terms of length of school day, supervision of co-curricular activities, staff meetings, and in-service training.

INTERNSHIPS

The board recognizes the need to provide training opportunities for prospective administrators.

Internships for those who are in the process of acquiring administrative credentials shall be approved on an individual basis. Specific factors to be used in considering an individual for an internship position shall include but not be limited to: academic record, teaching ability, leadership qualities, communication skills and dedication to past and present assignments. If recommended by the screening committee, the superintendent shall be responsible for: scheduling any necessary release time, arranging for constructive supervision of the internship experience and identifying a variety of experiences which will meet the needs of the intern.

Internships

The following procedures shall be followed in the selection of interns for administrative or supervisory positions:

A. By April 15 of each year all staff members will be advised of their opportunity to establish eligibility for an internship.

B. A screening committee shall be appointed to assist in the selection of administrative interns.

The membership should adequately represent the various levels within which the prospective administrator will work. Classroom teachers may be included in the membership of a screening committee.

C. Through examination of the applicant's credentials and through examination and/or personal interview, a screening committee shall determine whether the applicant is qualified for consideration as an intern for an administrative position. The screening committee will be supplied with statements of criteria which relate to the specific job description. The screening committee shall interview prospective interns on the basis of specific criteria for the position.

The committee shall maintain a set of notes which can be used as the basis for arriving at recommendations. The recommendations of the screening committee shall be submitted to the superintendent.

D. The individuals recommended for consideration as interns shall be scheduled for internship assignments when and where it will be most advantageous to the district. Following selection, the intern and his/her supervisor will set objectives and plan appropriate activities dealing with such areas as: personnel, curriculum, community relations, student relationships, finance, non-instructional operations and facilities.