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West Jefferson School District Policy Manual

Chapter 4 - Staff Personnel

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400 STAFF PERSONNEL

400.1 GUIDING PRINCIPLES

The employees of the District are valuable and significant in creating an effective educational program and learning environment. Schools function most efficiently and successfully when highly qualified (a combination of both task skills and interpersonal skills) individuals are employed to staff the needs of the District.

Policy History

Adopted on April 8, 2010

400.2 NEPOTISM AND CONFLICTS OF INTEREST

There should be no conflict of interest in the hiring, supervision, and evaluation of employees. At no time may any administrator or supervisory employee be responsible for the employment, direct supervision, and/or evaluation of any employee directly related to him/her. Related by definition includes relationships by blood, adoption, and or marriage.

No employee of the District shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.

Employees shall not use District privileges for private gain--for themselves or their relatives.

Employees must also follow all laws concerning the disposal of surplus property.

The administrator or supervisor is responsible for informing the Superintendent of his/her relationship to another employee or vendor for whom that individual may have supervisory or decision making responsibilities.

Policy History

Adopted on April 8, 2010

400.3 DRUG, TOBACCO, AND ALCOHOL FREE WORKPLACE

The West Jefferson School District #253 recognizes that the use of illegal substances is a very serious problem with physical, emotional, social, and legal implications. Of primary concern is the effect of illegal and other harmful substances on job performance, productivity, and serving as healthy role models for students. The District is committed to maintaining a workplace free from illegal drugs, drug abuse, and in preserving a tobacco free campus.

The unlawful manufacture, distribution, dispersing, possession, or use of a controlled substance is prohibited in the workplace. This policy also includes the use of any form of tobacco and/or of being under the influence of alcohol while at work. It is a condition of employment that all employees comply with this policy. The District has the right and obligation to investigate potential violations of this policy. If violated, appropriate action may include up to termination. Decisions associated with retention of an offending employee could include satisfactory participation in a drug abuse assistance or rehabilitation program approved for such purposes by governmentally approved regulatory agencies.

Any employee who is made aware of or suspects that a prohibited incident has or is taking place shall report the matter to the superintendent. If the superintendent is suspected of being the guilty party, the report should be directed to the Board Chair. This matter is not to be discussed with coworkers or person not directly responsible for investigating the situation.

All employees shall be required to sign a copy of this policy verifying that it has been received and reviewed.

This policy complies with Public Law 100-690 Title V, Section 1515. Also see Policy 502.7 Tobacco, Alcohol and Illegal Drugs.

Date Adopted: December 13, 2012

Revised: March 2016

Employee Agreement: I have read this policy and agree to comply with the above requirements relating to maintaining a Drug, Tobacco, and Alcohol Free Workplace

Employee's Signature

Date

Printed Name

401 CERTIFICATED PERSONNEL SELECTION

401.1 RECRUITMENT OF PERSONNEL

All employees who are employed by written contract shall be employed by the Board upon the recommendation of the Superintendent. Before their employment is confirmed, it shall be approved by the Board at a regular or special meeting, and such personnel shall not be placed on the payroll before such approval. If the position needs to be filled prior to the next regular Board meeting, the Superintendent will contact each School Board member for verbal approval subject to official written approval at the next board meeting.

All employees who are employed for a period of time in excess of one month, on an hourly basis, shall be hired by the Board upon the recommendation of the Superintendent. Before their employment is confirmed for more than one month, they shall be approved by the Board at a regular or special meeting and such personnel shall not be placed on the payroll for more than one month before such Board approval.

Policy History:

Adopted on: March 14, 1996

Revised on: December 11, 2003

401.2 QUALIFICATIONS

Selection of staff personnel shall be based on the following qualifications:

- a. Training and certification
- b. Demonstrated professional competency
- c. Personal characteristics
- d. Suitability for the position
- e. Compatibility with school district philosophy
- f. Experiential qualifications

Staff personnel qualifications shall be evaluated upon the merits of the candidates without regard to their race, religion, age, sex, or marital status.

Policy History:

Adopted on: September 19, 1985

401.3 CERTIFICATION

All professional employees shall be properly certificated prior to the beginning of each contract period as required by statute.

Legal Reference:
Idaho Code 33-413

Policy History:
Adopted on: September 19, 1985

401.4 CRIMINAL HISTORY CHECK

All persons hired for the first time by the district of who have been in the employ of the district (5) years or less, undergo a criminal history check as provided in section 33-130, Idaho Code. All such employees who are required to undergo a criminal history check shall obtain the history check within three (3) months of starting employment, or for employees with five (5) years or less with the district, within three (3) months from the date of such employee is notified that they must undergo a criminal history check. The district shall pay the cost of the criminal history check, for all employees hired as part-time or full-time, including substitute teachers.

If the criminal history check shows that the employee has been convicted of a felony crime enumerated in section 33-1208, Idaho Code, it shall be grounds for immediate termination, dismissal, or other personnel action of the district, except that it shall be the right of the school district to evaluate whether an individual convicted of one (1) of these crimes and having been incarcerated for that crime, shall be hired. The district may require any or all persons who have been employed continuously with the same district for more than five (5) years, to undergo a criminal history check as provided in section 33-130, Idaho Code. If the district elects to require criminal history checks of such employees, the district shall pay the costs of the criminal history check or reimburse employees for such cost.

The Board of Trustees shall be responsible for developing a system for registering volunteers or contractors consistent with maintaining a safe environment for their students.

Legal Reference: Idaho Code 33-130
Policy History:
Adopted on: August 8, 1996

Revised on: March 12th, 2015

Revised on: May 21st, 2015

402 CERTIFICATED PERSONNEL EMPLOYMENT

402.1 CERTIFICATED PERSONNEL CONTRACTS

Certificated personnel who have been employed in the District for more than three successive years prior to January 31, 2011 are on a grandfathered continuing contract status.

All other certificated personnel must be formally employed each year to remain in service. Such employment will be in the form of a Category A Contract. Upon the decision of the Board of Trustees to non-reemploy a certificated employee on a Category A Contract Status, the employee shall be provided a written statement of the reasons for non-reemployment by no later than July 1st. Provided, however, that no such decision shall be made until after the completion of the written evaluation, unless such decision is being made pursuant to a reduction in force. No property right is attached to a Category A Contract, therefore, the employee shall not be entitled to a review by the Board of trustees of the reasons or decision not to reemploy.

When the Board has sent a proposed contract for the next ensuing year to any certificated person, such person shall have ten (10) working days to return the signed contract. If the contract is not returned in this timeframe, the board shall at its discretion declare the position to be open.

Should any certificated employee desire release from the ensuing contract after the (1st) day of June, the Board may, at its discretion, request a hearing before the Professional Standards Commission, alleging that the certificated employee is guilty of unethical or unprofessional practice.

Legal Reference: Idaho Code 33-513 - 51449a

Policy History:

Adopted on: August 10, 2000

Revised on: August 11, 2011

402.1A EXTRA-DUTY ASSIGNMENTS - CERTIFICATED PROFESSIONAL EMPLOYEE

The Board may enter into a Supplemental Contract with a certificated professional employee (CPE) to provide for an extra duty assignment. An "extra-duty assignment" is defined as any

assignment which is not part of a CPE's regular teaching duties. A contract ("Supplemental Contract") for an extra-duty assignment shall be separate and apart from a CPE's regular teaching contract, irrespective of whether a CPE is employed as an annual contract teacher, a renewable contract teacher or employed pursuant to a limited one (1) year contract.

A CPE shall have no property rights in an extra-duty assignment regardless of the period of employment or the descriptions and terms set forth therein and such extra-duty assignment shall be considered in all respects "employment at will" subject to termination by the Board at any time with or without cause.

If the Board determines to terminate the CPE's extra-duty assignment during the contract period or not to reissue a Supplemental Contract for an extra-duty assignment for the ensuing school year, the Board or its designee, shall provide the CPE with written notice of such action setting forth the reasons for such action.

Legal Reference: Idaho Code 33-515A

Policy History:

Adopted on: January 19, 2000

Revised on: August 11, 2011

402.2 VACANCIES, TRANSFERS AND REASSIGNMENTS

Teachers who desire a change in grade, subject assignment, or building may file a written request with the Superintendent before April 1 or at the time of an advertised vacancy.

Notices of vacancies shall be posted in each school as soon as such vacancy becomes evident to the administration. Teachers within the district will have the first opportunity of applying for any teaching position.

Teaching vacancies shall be filled by teachers from within the District PROVIDED they make prompt application AND are the best qualified candidates.

Policy History:

Adopted on: September 19, 1985

Revised on: August 11, 2011

402.2A REASSIGNMENT OF ADMINISTRATIVE CERTIFICATED PROFESSIONAL EMPLOYEES

The School Board may reassign an administrative certificated professional employee to a non-administrative position with or without an appropriate reduction in salary. If the Board determines to so reassign, the Board shall provide the certificated professional employee with a written notice of the reassignment containing a statement of the reasons for such action not less than fifteen (15) days prior to the effective date of the reassignment.

The certificated professional employee may within five (5) days after the receipt of said Notice request, in writing, an Informal Review before the Board. The Board shall hold the Informal Review no more than thirty (30) days after receipt of such request and shall inform the certificated professional employee, in writing, of the date, time and place of the Informal Review.

The procedures for the Informal Review shall be as follows:

1. The Informal Review shall be held in executive session.
2. The Board, or its appointed Hearing Officer, shall preside over the Informal Review.
3. The Informal Review shall be orderly
4. The purposes of the Informal Review are to provide the certificated professional employee an opportunity to address the Board informally and to present to the Board the reasons why the certificated professional employee should not be reassigned to a non-administrative position and for the Board to deliberate and reevaluate its previous decision.
5. The certificated professional employee may be represented (at his or her own expense) by a person of his/her choosing.
6. The certificated professional employee may have other persons address the Board on the certificated professional employee's behalf and/or submit documentation for the Board's review.
7. The Administrative Staff may, but is not required to, present witnesses, submit documentation and/or make rebuttal statements during the Informal Review.
8. The Board or the Administrative Staff may question the certificated professional employee about matters relating to the reassignment.
9. Within fifteen (15) days following the Informal Review, the Board shall notify the certificated professional employee in writing of its final decision in the matter.

Legal Reference: Idaho Code: 33-515

Policy History:

Adopted on: January 19, 2000

Revised on: August 11, 2011

402.3 TEACHING NON-SUBJECT MATTER

Classroom teachers shall not deliberately suppress or distort subject matter for which he or she bears responsibility. Nor shall the teacher teach doctrine or philosophy which is not part of his or her teaching.

Policy History:
Adopted on: September 19, 1985

402.4 SALARY SCHEDULE

The Board shall establish, as a result of professional discussions with the Teacher Advisory Committee, salary schedules and guides for the Negotiation Team in the District.

Policy History:
Adopted on: September 19, 1985

402.5 TEACHER EVALUATION

The instructional performance of all teachers in the District shall be observed and evaluated by the Administrators of the District. Teachers shall be advised and counseled regarding areas of improvement needed and suggestions shall be made concerning methods. The fore-going should not be construed to mean that supervisory persons are responsible for teaching methods and subsequent teacher success or failure. In the event that a teacher's work is unsatisfactory, it shall be the policy of the building principal to make such fact known to the teacher through the board adopted Teacher Performance Evaluation Model which includes the following elements:

402.5.1 Purpose:

The selection, assignment, promotion, and retention of all personnel shall be determined on the basis of the contribution of each person to the educational program. In the performance of their duties, all personnel shall be expected to show evidence of capable, efficient service to the schools. Because teacher performance and competency to instruct or govern students or a class have an enduring and consequential influence upon pupils, every effort must be made to assure that teachers are competent, caring, and produce desired results. Fifty Percent of the annual summative evaluation shall be based upon students' growth. To this extent the evaluation process should contribute to teacher growth and provide an objective basis for renewing or non-renewing individual teacher contracts.

402.5.2 General Criteria

The evaluation model shall consist of four domains with accompanying criteria.

402.5.2.1 Domain 1: Planning and Preparation

Criteria are as follows:

- 1A. Teacher displays solid understanding of content and connections with other disciplines. Teacher's instructional practices reflect current knowledge of pedagogy.
- 1B. Teacher demonstrates thorough knowledge of students, including backgrounds, skills, and interests. The teacher uses this knowledge to plan for groups of students.

- 1C. Teacher's goals represent valuable learning and are suitable for most students in the class. The goals reflect opportunities for integration and permit viable methods of assessment.
- 1D. Teacher is aware of district resources for teaching and uses such for students who need them.
- 1E. The elements of instructional design support the stated goals and standards and engage students in meaningful learning. The lesson or unit has a clearly defined structure.
- 1F. Student assessment is aligned with instructional goals and standards. Clear assessment criteria and standards have been communicated to students. Assessments are used to plan for groups of students or individuals.
- 1G. Teacher uses data to modify instruction based upon individual student's needs.

402.5.2.2 Domain 2: Classroom Environment

Criteria are as follows:

- 2A. Classroom interactions reflect general warmth and caring. They are respectful of cultural and developmental differences among groups of students.
- 2B. The classroom environment represents a genuine culture for learning. There is commitment to the subject by both teacher and student. There are high expectations for student achievement and student pride in work.
- 2C. Classroom routines and procedures have been established and function smoothly, with little loss of instructional time.
- 2D. Teacher is aware of student behavior; has established clear standards of conduct; and responds to student misbehavior in an appropriate and respectful way.
- 2E. Teachers' classroom is safe and orderly and learning is accessible to all students. Teacher uses physical resources well and the room supports learning activities.

405.5.2.3 Domain 3: Instruction

Criteria are as follows:

- 3A. Teacher communicates clearly and accurately both orally and in writing to the students.
- 3B. Teachers' use of questioning and discussion techniques reflects high level questions, true discussion, and full participation by all students.
- 3C. Students are intellectually engaged with the lesson. Appropriate activities, materials, instructive representations of content, and standards are used. There is suitable structure and pacing of the lesson.
- 3D. Teachers' feedback to students is timely and of consistently high quality.
- 3E. Teacher seeks ways to ensure successful learning for all students, makes adjustments as needed to instruction, and responds to student interest and questions.
- 3F. Teacher maximizes the effective use of classroom instructional time.
- 3G. Teacher provides high quality pre and post criterion referenced assessments for each reporting period that are valid and reliable measures of students' growth towards local, state, and/or nationally adopted benchmarks and/or standards. This applies to all courses taught in grades 7-12 and to core subjects (Math, Reading, English/Language Arts) in grades K-3 and additionally in science and social studies in grades 4-6. Resulting data will be aggregated by class/subject and reported by individual student growth and average class growth.

3 H. Teacher earns and maintains student and parent respect and support as evidenced by written input and feedback and response to said feedback and input.

405.5.2.3 Domain 4: Professional Responsibilities

Criteria are as follows:

4A. Teacher reflects on the lesson, citing general characteristics and makes specific suggestions on how to make improvements.

4B. Teacher's system for maintaining accurate records is efficient and effective. Teacher uses technology systems to inform parents of individual student's progress.

4C. Teacher participates actively in school and district projects and maintains positive relationships with colleagues.

4D. Teacher participates actively in professional development activities and contributes to the profession.

4E. Teacher makes genuine and successful efforts to ensure that all students are well served by the school.

4F. Teacher is supportive of the administration and follows directives in a timely and professional manner.

4G. Teacher is professional in dress, grooming, and conduct.

4H. Teacher meets the district's pay for performance standards adopted by the Board of Trustees.

405.5.3 Administrators Assigned to Conduct Teacher Evaluations

By assignment and training, teachers will be evaluated by district educators holding an Idaho Administrators' Credential endorsed as school principal, special education director, and/or superintendent. On an annual basis, principals will participate in a common observation in order to increase reliability in the use and understanding of the evaluation process, criteria, this policy, and related forms. Administrators new to the district who have not had previous training in the Charlotte Danielson evaluation model are expected to receive this training prior to conducting teacher evaluations.

405.5.4 Sources of Data to be used in conducting teacher evaluations.

Teacher evaluation will be based upon the following data sources.

- Walk-through observation notes shared with the teacher.
- Written notes of formal, scheduled observations shared with the teacher.
- Principal observed professional dress, oral/written communication, punctuality, general professionalism, etc.
- Teacher prepared sources. Such artifacts may include, but are not limited to the following: written stewardship report, lesson plans, instructional units, audio visual materials, instructional aide, criterion based assessments, evidence of student learning (grade books, writing portfolios, projects, results of criterion based assessments, etc.

- External sources may include, but are not limited to the following: Standardized Tests Scores (i.e. ISAT, IRI) peer/parental communication, courses/workshops completed, committee/professional contributions, etc.

405.5.5 Teacher Evaluation Procedures

Teacher evaluation is both a formative and summative evaluation process.

- The formative evaluation process consists of informal administrator walk-throughs, reflective conversations with peers and administrators, collaborative participation in learning teams, and grade level/department committees, etc. Written documentation may be made of formative evaluative actions, but is not required. If written documentation is prepared, the teacher has a right to review it and to provide a rebuttal if so desired.
- The summative evaluation process consists of collecting data from formative sources and a sequence of formal observation(s) as follows:
 - ⊖ Teachers on Category contracts shall be formally evaluated at least three times each year for the first three years of service of which at least one evaluation will be completed prior to December 1st, a second evaluation prior to March 1st, and the third evaluation prior to the end of the school year. Beginning in the fourth year of continuous service, teachers on Category A contracts shall be evaluated at least one time per school year; this evaluation must occur prior to March 1st. Additional formal evaluations may occur at either teacher or administrator request.
 - Continuing Contract Teachers shall be formally evaluated at least one time per school year; this evaluation must occur prior to March 1st. Additional formal evaluations may occur at either teacher or administrator request.
 - A formal evaluation will consist of the following:
 - A scheduled pre-conference in which the teacher and administrator agree upon the data sources that will be used in the evaluation as noted in Section 405.5.4; have a general review of the criteria noted in Section 402.5.2; and a specific discussion of what the evaluator will be looking for during the observation.
 - A scheduled observation of not less than one hour or one class period in which the evaluator prepares a written report.
 - A scheduled post conference in which the teacher and the evaluator review all data sources, written reports, and the summative, Board Adopted Teacher Evaluation form.
 - Evaluation forms should be dated and contain a signature line for both the evaluator and the teacher which contains the following statement: *“The signatures below confirm this evaluation was discussed by the principal with the teacher. They do not necessarily imply agreement. A written rebuttal may be attached by the teacher.”*
 - Follow-up as needed.

- Remediation and Probation (also see Policy 403.1)
 - Remediation: Administrators may place teachers on remediation by providing written notification of unsatisfactory performance and a written growth plan designed to remediate the deficiencies. This action may occur at any time during the school year. Such remediation is not time bound and may continue from one year to the next. If remediation does not adequately resolve concerns, administrators shall recommend probation.
 - Probation: Teachers are only placed on and removed from probation by official board action. Any recommendation to the board to place a teacher on probation must be accompanied by a growth plan designed to remedy the identified deficiencies. Such probation status must be for at least eight (8) weeks in length and should provide for an observation/evaluation progress report at least every two weeks. Half of the observations may be unannounced. All observations require a formal post conference to review the written report.
 - During remediation and probation, observations may be conducted by other district administrators. In addition, teachers placed on remediation or probation shall have the option of being assigned a mentor teacher to help them work through the remediation process.
 - Board action to non-renew a continuing contract teacher who has been on probation must be taken by May 25th.

405.5.6 Monitoring and Evaluating the Teacher Evaluation System.

On an annual basis a committee of three teachers and three administrators shall evaluate the teacher evaluation process. This process shall include receiving feedback from stake holders including: teachers, administrators, and trustees on both the process and upon its effect on monitoring and improving teacher competency and professionalism. This committee shall provide a written report to the board of trustees recommending policy changes as needed.

405.5.7 Levels of Performance

The teacher evaluation rubric shall provide for the following levels of performance for each criterion noted in 405.5.2:

- Met—meaning teacher performance in all phases of the criterion are satisfactory.
- In-progress—meaning that while all phases of the criterion are not yet met, progress is being made. A narrative should accompany this rating detailing steps needed to adequately meet the criterion.
- Not met—meaning teacher performance in most or all phases of the criterion are unsatisfactory. A narrative should accompany this rating detailing steps needed to adequately meet the criterion.

405.5.8 Teacher Orientation to the Evaluation Policy.

- All new teachers will be given and review a copy of this policy and the related rubric as a routine part of new teacher orientation.
- As part of each pre-conference, the teacher and principal will review both the policy and the rubric to ensure a common understanding of terms and expectations.
- As part of each post-conference, the teacher and principal will again review the policy and rubric to ensure a common understanding of the details of the actual evaluation.

405.5.9 Teacher Evaluation and Related Professional Development.

Annual district and school level professional development programs will use data derived from both the formative and summative evaluation process. Funding for professional development is detailed in Board Policy 902: *Teacher Quality Program Priorities*.

405.5.10 Evaluation Time-lines

Principals shall submit to the Superintendent, written evaluations for each - Category A certified teacher by December 1 and March 1 and a third time by the end of the school year. Category A teachers in their fourth or more years and continuing contract certified teachers will be evaluated a minimum of one time during the school year. Principals will submit continuing contract evaluations to the Superintendent by March 1. Final student growth data will be attached to the summative evaluation at conclusion of the school year or when the data becomes available.

405.5.11 Recommendations for Re-employment or Non-renewal of Employment

Recommendations for re-employment or non-renewal of employment will be made by the principals to the superintendent and the Board prior to the regular March meeting, with the exception of Category A teachers and teachers who are on formal probation, in which case such recommendation shall be made prior to May 25th.

405.5.12 Maintenance of Evaluation Records

Permanent records of each certificated personnel evaluation will be maintained in the employee's personnel file. All evaluation records will be kept confidential within the parameters identified in federal and state regulations regarding the right to privacy.

Legal References: IC 33: 513; 514; 33:515

Policy History:

Adopted on: September 10, 1998

Revised on: February 11, 2010

Revised on: August 11, 2011

**West Jefferson School District #253
Teacher Evaluation Form**

TEACHER NAME _____ **DATE:** _____

DOMAIN 1: PLANNING & PREPARATION

LEVEL OF PERFORMANCE

COMPONENT	Met	IN PROGRESS	Not Met	Comments
1A Teacher displays solid understanding of content and connections with other disciplines. Teachers' instructional practices reflect current knowledge of pedagogy.				
1B Teacher demonstrates thorough knowledge of students, including backgrounds, skills, and interests. The teacher uses this knowledge to plan for groups of students.				
1C Teachers' goals represent valuable learning and are suitable for most students in the class. The goals reflect opportunities for integration and permit viable methods of assessment.				
1D Teacher is aware of district resources for teaching and uses such for students who need them.				
1E The elements of instructional design support the stated goals and standards and engage students in meaningful learning. The lesson or unit has a clearly defined structure.				
1F Student assessment is aligned with instructional goals and standards. Clear assessment criteria and standards have been communicated to students. Assessments are used to plan for groups of students or individuals.				
1G Teacher uses data to modify instruction based upon individual student's needs.				

ADDITIONAL COMMENTS (add additional pages as necessary):

DOMAIN 2/ CLASSROOM ENVIRONMENT

LEVEL OF PERFORMANCE

COMPONENT	Met	IN PROGRESS	Not Met	Comments
2A Classroom interactions reflect general warmth and caring. They are respectful of cultural and developmental differences among groups of students.				
2B The classroom environment represents a genuine culture for learning. There is commitment to the subject by both teacher and student. There are high expectations for student achievement and student pride in work.				
2C . Classroom routines and procedures have been established and function smoothly, with little loss of instructional time.				
2D Teacher is aware of student behavior; has established clear standards of conduct; and responds to student misbehavior in an appropriate and respectful way				
2E Teachers' classroom is safe and orderly and learning is accessible to all students. Teacher uses physical resources well and the room supports learning activities.				

ADDITIONAL COMMENTS (add additional pages as necessary):

DOMAIN 3: INSTRUCTION

LEVEL OF PERFORMANCE

COMPONENT	Met	IN PROGRESS	Not Met	Comments
3A Teacher communicates clearly and accurately both orally and in writing to the students.				
3B Teacher's use of questioning and discussion techniques reflects high level questions, true discussion, and full participation by all students.				

<p>3C Students are intellectually engaged with the lesson. Appropriate activities, materials, instructive representations of content, and standards are used. There is suitable structure and pacing of the lesson.</p>				
<p>3D Teachers' feedback to students is timely and of consistently high quality.</p>				
<p>3E Teacher seeks ways to ensure successful learning for all students, makes adjustments as needed to instruction, and responds to student interest and questions.</p>				
<p>3F Teacher maximizes the effective use of classroom instructional time.</p>				
<p>3G Teacher provides high quality pre and post criterion referenced assessments for each reporting period that are valid and reliable measures of students' growth towards local, state, and/or nationally adopted benchmarks and/or standards.</p>				
<p>3H Teacher earns and maintains student and parent respect and support as evidenced by written input and feedback and response to said feedback and input.</p>				

ADDITIONAL COMMENTS (add additional pages as necessary):

DOMAIN 4: PROFESSIONAL RESPONSIBILITIES

LEVEL OF PERFORMANCE

COMPONENT	Met	IN PROGRESS	Not Met	Comments
4A Teacher reflects on the lesson, citing general characteristics and makes specific suggestions on how to make improvements.				
4B Teachers' system for maintaining accurate records is efficient and effective. Teacher uses technology systems to inform parents of students' progress.				
4C Teacher participates actively in school and district projects and maintains positive relationships with colleagues.				
4D Teacher participates actively in professional development activities and contributes to the profession.				
4E Teacher makes genuine and successful efforts to ensure that all students are well served by the school.				
4F Teacher is supportive of the administration and follows directives in a timely and professional manner.				
4G Teacher is professional in dress, grooming, and conduct.				
4H Teacher meets the district's pay for performance standards adopted by the Board of Trustees.				

ADDITIONAL COMMENTS (add additional pages as necessary)

THE SIGNATURES BELOW CONFIRM THE EVALUATION WAS DISCUSSED BY THE PRINCIPAL WITH THE TEACHER. THEY DO NOT NECESSARILY IMPLY AGREEMENT. A WRITTEN REBUTTAL MAY BE ATTACHED BY THE TEACHER WITHIN 30 WORKING DAYS OF THE DAY OF INITIALLY SIGNING THIS DOCUMENT.

PRINCIPAL/EVALUATOR

TEACHER

DATE: _____

403 CERTIFICATED PERSONNEL CONTRACT TERMINATION

403.1 NON-RENEWAL OF A CONTINUING CONTRACT

Before the Board determines not to renew the contract of any certificated employee who has continued contract grandfathered status, such person shall be entitled to a probationary period. This period of probation shall be preceded by a written notice from the Board with reasons for such probationary period and with provisions for adequate supervision and evaluation of the person's performance during the probationary period. The following procedure has been prescribed by State Statute:

- A. 1. The principal and/or supervisor will recommend to the Board in writing that the teacher be placed on probation.
- B. A resolution to place the employee on probation must be adopted by the local Board and recorded in its minutes. A copy of the resolution must be delivered to the teacher and proof of a delivery must be obtained.
- C. The specific areas of unsatisfactory performance along with provisions for adequate supervision and direction for probation will be defined in writing to the teacher. A clearly articulated probationary plan will be developed. The plan will include identified concern(s), desired outcomes, and improvement targets. The plan will also include strategies for assistance and improvement. The probation plan will include classroom observations, including pre and post-observation conferences.
- D. The timeline shall not be less than eight full weeks or forty (40) teaching days.
- E. Upon the employee's request, a support team may be formed. The make-up of the team will be mutually agreed upon with input from the teacher and administrator(s).
- F. Not later than May 25th the employee shall be notified of the Board's intent (1) to end probation and renew the contract or (2) to renew the contract, but continue probationary status, or (3) to non-renew the contract.
- G. In the event that the Board elects to non-renew the contract, a hearing must be held upon request of the teacher. The request for a hearing must be made by the teacher within six (6) days after receipt of the copy of the resolution for discharge. The Board must hold the hearing within twenty-one (21) days after receipt of the request. The date provided for the hearing may be changed by mutual consent. The hearing shall be public unless the employee requests in writing that it be in executive session. At the hearing, the teacher may be represented by counsel, may present evidence, and may examine witnesses. The

Board may present evidence substantiating reasons for discharging the teacher, examine witnesses and be represented by counsel. All witness shall be placed under oath and shall be subject to cross examination.

- H. The affected employee may file written briefs and arguments with the board within three (3) days after the close of the hearing.
- I. After said hearing, the Board will consider the case in view of all known facts and circumstances and decide by majority vote whether or not the teacher shall be discharged. The Board's decision must be communicated in writing within 15 days of the hearing. A record of the decision must be included in the minutes and written notice of the decision delivered to the teacher.

Legal Reference: Idaho Code 33-513 33-1212

Policy History:

Adopted on: September 19, 1985

Revised on: August 11, 2011

403.2 REDUCTION IN PERSONNEL

A reduction in force (RIF) may occur when the board determines that it is in the best interest of this district to reduce the number of contracted certificated employees because of a financial emergency, decrease in enrollment, changes in curriculum, reorganization, or consolidation. Nothing herein shall prohibit the board from eliminating particular courses or portions or all of an educational program, or otherwise restructuring the course offerings to meet the educational needs of the students.

The following factors may not be considered in making reduction in force decisions: seniority or contract status, gender, race, religion, disability, or age.

If the board determines that it is necessary to reduce the number of certificated employees, the board will effect the reductions by implementing this policy after having attempted to reduce the certificated employees to a desired number through attrition.

Certificated employee retention will be based on: certification/endorsement, assignment specifications, evaluation, and degrees held at the time of implementation of the reduction in force, as well as according to eligible veterans consistent with this policy.

RANKING OF EMPLOYEES

All certificated employees will be categorized in all areas of certification endorsement for which they are highly qualified to teach. Each certificated employee will be ranked as set forth below, to determine which certificated employees will be reduced.

Eligible veterans, defined consistently with Idaho Code Section 65-501, et seq., will be given preference for any existing position that is not eliminated. If an eligible veteran has the RIF rank, same certification/endorsements, assignment specifications, evaluations, and degrees as another certificated employee, the eligible veteran will be retained.

When a reduction in certificated employee staff is deemed necessary, the board will adhere to the following phases and procedures, exhausting all the possibilities of one phase before moving on to the next.

Phase One: Natural Attrition

In making necessary reductions in certificated employee positions, the board of trustees shall first attempt to do so through natural attrition (i.e., retirements, resignations, reassignments, etc.).

Phase Two: Probationary Personnel Termination

If necessary, the board of trustees will reduce certificated employee staff by terminating the services of certificated employees who are on probation due to unsatisfactory performance, in the order designated by the application of the Reduction in Force Formula.

Phase Three: Personnel on Plan of Improvement Termination

If necessary, the board of trustees will reduce certificated employee staff by terminating the services of certificated employees who are on a plan of improvement due to unsatisfactory performance, in the order designated by the application of the Reduction in Force Formula.

Phase Four: Application of the Reduction in Force Formula

1. Criticality of Assignment Specifications. (The Board may exempt up to 25% of the teaching staff or two employees in a given classification (whichever is greater) from reduction in force based upon this criterion.)
2. Criticality of Certification/Endorsements/Highly Qualified. (10 points are awarded for highly qualified status, 5 points for each additional endorsement.)
3. Employees rank based upon Evaluation Domain 3G (student growth) as measured on objective assessments. Total points will equal the number of employees in the classification being reduced multiplied by a factor of three. (i.e in a group of ten teachers, the teacher whose students show the greatest percentage of growth will be given a score of 10×3 for a total of 30 points.
4. Employees rank based upon Evaluation Domain 4H "Pay for Performance" scale score. Total points will equal the number of employees in the classification being reduced multiplied by a factor of three. (i.e in a group of ten teachers, the teacher who had the highest number of points will be given a score of 10×3 for a total of 30 points.
5. Employees whose evaluations show that they have not fully met the other criteria in the four domains (see Policy 402.5) will have their scores reduced by 4 points for each "unmet" criterion and by 2 points for each criterion "in progress."
6. Additional Degrees (10 points is added for a masters, 15 points for an Ed. Specialist, and 20 points for a Doctorate.
7. In the event the above criteria have not produced the desired reduction in force, the final reduction will be made from the remaining teachers by lottery (i.e. drawing names from a box).

QUALIFYING FOR OPEN POSITIONS

Any certificated employee affected by the reduction in force will be allowed to compete with other similarly situated certificated employees for any and all positions for which he or she is qualified. Certificated employees not affected by this reduction in force policy may be reassigned.

ADMINISTRATIVE/COUNSELOR POSITIONS

In the event that it is necessary to reduce an administrative and/or counselor position in this district while the reduction in force policy is in effect, the board is not obligated to follow criteria as set forth above, but rather may select an individual it deems to be the most qualified individual for that position, or which individual will be reassigned to a teaching position, or dismissed.

CLASSIFIED PERSONNEL ADJUSTMENT AND/OR REDUCTION:

To effectuate a reduced or modified educational program, in positions involving non-certificated employees, the Board may make necessary adjustments by reducing the daily hours to be worked for positions affected. If it becomes necessary to eliminate positions, those non-certificated employees to be retained will be selected by competency in carrying out assigned responsibilities as determined by district administrators / supervisors and approved by the Board.

NOTIFICATION

Certificated employees who are affected by the implementation of this reduction in force policy will be notified in writing of the non-renewal of their contract not later than the 1st day of July. Classified employees who are affected by the implementation of this reduction in force policy will be notified in writing two weeks prior to their date of termination.

RECALL RIGHTS

If the contract of employment of a certificated employee is terminated because of the implementation of a Reduction in Force, the name of the certificated employee shall be placed upon a reappointment list and remain on the list for the initial RIFed school year.

If a position becomes open during such period, and the certificated employee has been selected by the Board as a certificated employee on the recall list who is highly qualified and most capable of holding the position, then the certificated employee will be notified in writing by certified mail sent to the last known address.

When the district determines that a position is available for which an individual is qualified, the district will attempt to contact the former certificated employee for a period of five (5) days by person and/or by electronic format. The certificated employee will have three (3) days after being contacted to accept or reject, in writing, the contract offer. Electronic notification is acceptable. If the district is unsuccessful in contacting the certificated employee during the five (5) days, or if the certificated employee rejects the contract offer, the certificated employee forfeits any future recall rights and the district will offer the position to the next qualified

certificated employee on the recall roster. It will be the responsibility of each former certificated employee on the recall roster to provide a current mailing address, place of residence, telephone number, and email address or other means by which to contact the former certificated employee.

The recalled employee will return with no loss of prior service credit placement on the current salary schedule. Any certificated employee who has been recalled is entitled to credit on the salary schedule for any contracted teaching experience gained during the layoff and for additional college course work completed.

LEGAL REFERENCE:

Idaho Code Sections: 33-514, 33-515, 65-501.

Policy History:

Adopted on: September 19, 1985

Revised on: November 21, 2002

Revised on: August 11, 2011

403.3 CORRECTIVE ACTION

West Jefferson School District recognizes the value of its employees and the need to maintain stability in its school district operations. The School District also recognizes that improper employee behavior can adversely affect other employees, contribute to poor employee morale, and reflect negatively on the overall reputation and operation of the School District.

The Board recognizes that situations arise where discipline is necessary in order to avoid school district instability and disruption of the workforce.

Procedures

A. Employee Misconduct. Employee misconduct may result in disciplinary action, up to and including termination.

B. Disciplinary Procedures. The West Jefferson School District may use, in its sole discretion, any one or more of the non-exclusive lists of disciplinary procedures to address employee misconduct:

1. Verbal or written warnings and/or reprimands which may be issued to employees by supervisors with authorization from the superintendent.
2. Suspension with or without pay. The superintendent may suspend a certificated or a non-certificated employee with verbal notice. The verbal notice shall be followed by written notice not later than the succeeding work day. The notice shall state the alleged reason(s) for the suspension and inform the employee that the suspension will continue pending a hearing with the Board of Trustees to determine reinstatement or discharge. The notice of suspension shall be delivered to the employee and proof of delivery shall be obtained by the Superintendent or designee. A copy of the notice of suspension and recommendation(s) will be mailed to the Board

of Trustees at the time the notice is delivered to the employee. The salary of the suspended certificated employee shall continue until formal action is taken by the Board which may include reinstatement with no loss of pay, suspension with or without pay, or termination.

3. Termination of employees can only be effectuated by action of the Board. Termination proceedings will be in compliance with other Board policies and state statutes.

Policy History:

Adopted on: Undated

Revised on: August 11, 2011

404 CERTIFICATED PERSONNEL ABSENCE AND LEAVES

404.1 CERTIFICATED LEAVE

Personal, Sick, Bereavement, Professional, FMLA, and Leave of Absence.

1. Personal Leave

1.1. Full time certificated employees shall be granted personal leave at the rate of three (3) days per year. Personal leave may be accumulated to a maximum of seven (7) days. A maximum of Five (5) days may be used annually with full pay and no loss of sick leave days. Four (4) unused personal days may be rolled over for the next year. In June any unused personal leave over four (4) days will be reimbursed at \$100 for each day in the June salary payment. Year round certified employees will be granted 4 personal days per year.

1.2 Temporary employees that do not qualify for PERSI benefits are not granted personal leave.

1.3 Only two accumulated days can be used in a given school year. Additional accumulated days can be used with Board approval. The two accumulated days cannot be used at the same time as the three (3) personal days unless there is an exception which must be approved by the Superintendent after consulting with the School Board Chairman.

1.4 Prior arrangement must be made with the administration for the use of any personal leave day.

2. Sick Leave

2.1 Certificated employees shall be entitled to sick leave with full pay of one (1) day for each month of service or major portion thereof. There is no limit to the allowable number of sick leave days which may accrue. For personal illness of the employee beyond the accumulated sick leave full salary, the certified employee daily rate will be deducted.

2.2 Sick leave cannot be used to extend employment time. Sick leave is to be used when it is the intent to return to employment as soon as the illness or disability is terminated.

2.3 It is further understood that for extreme illness of the employee's spouse, children, the parents, brothers, and sisters of the teacher and spouse: that the employee be allowed sick leave, where the employee is the one who must care for this person who is seriously ill.

2.4 For sick leave of 3 consecutive days or more, it shall be required to notify school administration of the reasons and present medical explanation, either written or by phone. If employee has a long term illness of over five (5) days, the employee (or authorized representative) shall submit a request for FMLA and shall be required to inform administration weekly of situation. Administration may require additional medical verification.

3. Bereavement Leave

3.1 Definition of "Immediate Family" The employee's spouse, children (and children's spouses if married), grandchildren, grandparents, the father, mother, brothers, sisters, spouses or children of brothers and sisters, Aunts and Uncles of the employee as well as of his or her spouse.

For death in the immediate family, the employee may:

3.2 Be allowed a maximum of three (3) days absence without salary deduction per event.

3.3 For absence beyond three (3) days the employee may be allowed to use up to two (2) days sick leave or; Be deducted the certificated substitute teacher salary only for a maximum of two (2) days.

3.4 Arrangements and prior approval must be made with the Principal as soon as possible.

3.5 For funerals other than in the immediate family, a certificated employee shall be allowed to conduct, participate in, or attend with Superintendents approval, with salary deduction of certified substitute teacher only, a substitute teacher is used.

4. Professional Leave

4.1 Teachers may be granted leave without loss of pay and substitutes provided, for the following purposes directly related to improvement of instruction: attendance at professional meetings, workshops, conferences or seminars, inter-school or intra-school visiting, or other activities deemed appropriate by the District.

4.2 The School Board will approve all travel and professional leave budgets at the annual budget hearing. The School Board will approve all out of State travel beyond a 350 mile radius.

Requests for such leave shall be made to the School Board in advance. All other requests for professional leave shall be made to the Superintendent at least five (5) days in advance of the date of the leave. Approval will be made by the Superintendent after considering the following information.

4.3 Approval Information Necessary:

4.3.1 Approval from the building principal or supervisor.

4.3.2 A clear statement of purpose in making the request.

4.3.3 A clear description of the planned activity.

4.3.4 How the planned activities relate to present district assignment.

4.3.5 Why the described activities warrant professional leave?

4.3.6 How the district will directly benefit from the professional leave?

4.3.7 The funding source for expenses that might accrue to the district. This should reflect a specific amount of expected expenditures i.e. lodging, meals, registration, travel, etc.

4.4 Financial Guidelines/Information:

4.4.1 Reimbursement will be made following the completion of the requested professional leave, after the district has received a claim for reimbursement form, which should include an itemized breakdown of the reimbursement claim.

4.4.2 The daily allowance for meals relating to over-night trips will be \$10 for breakfast, \$10 for lunch, and \$20 for dinner. Meals are authorized if the employee is required to depart from the school site prior to 7:00 AM for breakfast; 11:00 AM for lunch; and 4:00 PM for dinner. Reimbursement will not be paid for meals that are provided as part of a meeting, conference, or hotel registration.

4.4.3 All lodging and registration costs will be considered on a case basis.

4.4.4 A district car shall be used when available. If a District car is available and not used for an employee's personal reasons, the mileage reimbursement rate is \$.20 per mile. Mileage reimbursement, when a district car is not available will be paid at \$.485 per mile. If mileage is requested for .485 per mile this shall be cleared with superintendent. If more than one person from the district is allowed to attend the same meeting, mileage will be paid on one (1) vehicle only unless there are extenuating circumstances

4.4.4 On over-night trips, the bus driver will be paid \$50 which is to be taxable compensation.

4.4.5 Employees will not be paid for travel time that exceeds the number of hours for which they are regularly scheduled. This applies to both home to school and home to workshop/meeting travel.

4.4.6 Known Per Diem costs may be paid prior to an employee's departure. Employees who receive a per diem advance, but do not travel will reimburse per diem to the District. Per Diem checks may be signed by the superintendent and business manager.

Policy History:

Revised on February 11, 2010

Revised on April 8, 2010

Revised on January 13, 2011

Revised on June 19th, 2014

Revised on August 20th, 2015

Revised on July 13th, 2017

5. Family Medical Leave Act

5.1 An Eligible employee is one who has at least 1,250 hours of service for the employer during the 12 month period immediately preceding the leave. Eligible employees of West Jefferson School District #253 may take up to 12 workweeks in any 12 months according the Federal Family Medical Leave Act due to the following reasons:

- The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care;
- To care for a spouse, son, daughter, or parent who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job; or
- For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

5.2 If approved, the 12 month period begins with the first day absent following five (5) days of absence for a district determined qualifying FMLA reason. The District requires employees to "substitute" (run concurrently) accrued paid leave, such as sick, sick bank (if eligible) or personal, to cover some or all of the FMLA leave period. Any remaining days of approved FMLA "unpaid" leave will be deducted at the employee's daily salary rate.

5.3 In invoking the Family Medical Leave Act, the employee should provide 30 days advance notice or, if unforeseeable, the employee must provide notice as soon as possible and practicable under the circumstances. When an employee requests FMLA leave due to his or her own serious health condition or a covered family member's serious health condition, the District requires certification in support of the leave from a health care provider. The District may also require second or third medical opinions (at the employer's expense) and periodic recertification of a serious health condition.

5.4 When an employee returns from FMLA leave, he or she must be restored to the same job or to an "equivalent job". The employee is not guaranteed the actual job held prior to the leave. An equivalent job means a job that is virtually identical to the original job in terms of pay, benefits, and other employment terms and conditions. If an employee is provided group health insurance, the employee is entitled to the continuation of the group health insurance coverage during FMLA leave on the same terms as if he or she had continued to work. An employee on unpaid FMLA leave must make arrangements to pay the normal employee portion of the insurance premiums in order to maintain insurance coverage.

5.5 West Jefferson School District #253 abides by all facets of the Federal Government's Family Medical Leave Act

6. Leave of Absence

6.1 An Eligible employee is one who has at least 1,250 hours of service for the employer during the 12 month period immediately preceding the leave.

- Eligible employees desiring a leave of absence must make formal application through his/her immediate supervisor to the Board. The Board may grant such request without pay or increment, but shall allow no loss of accumulated sick leave or tenure.

6.2 The employee may still participate in group insurance, but pay the premium him/herself.

6.3 Upon return, the employee shall be assigned the same position, or if not available, to an equivalent position.

6.4 If the above option is not available to the Board, the employee will receive first consideration for any position, which may in the future arise in his/her area.

6.5 Such leaves are to last at most, one (1) year. Any subsequent requests must be reviewed.

6.6 Leaves of absence could be granted for many reasons and may include: academic, personal, military, political, civic, or obligatory duty

*All requests for unpaid absences, not mentioned above, must be submitted to the School Board for consideration and action. Generally, unpaid absences should be made only for unusual circumstances and emergencies. All approved deductions will be made at the employees' daily salary rate.

Legal Reference:

Idaho Code 33-1216, 33-1228

Policy History:

Adopted on: July 8, 2004

Revised on: July 13, 2006

Revised on: October 11, 2007

Revised on February 11, 2010

Revised on April 8, 2010

Revised on January 13, 2011

Revised on June 19, 2014

404.2 TEMPORARY DISABILITIES

In the best interests of the educational program and welfare of the boys and girls, the Principal may recommend that a teacher take leave, whenever a temporary disability occurs which impairs that teacher's ability to satisfactorily complete his/her assigned duties.

The teacher must return to employment within two (2) weeks after his/her physician certifies in writing that the teacher is physically capable of performing his/her duties.

A pregnant employee shall notify the Superintendent of her expected date of commencement of leave and when she expects to return at least sixty (60) days prior to such date.

Policy History:
Adopted on: September 19, 1985

404.4 EMPLOYEE PER DIEM AND TRAVEL COMPENSATION

404.4.1 Reimbursement will be made following the completion of the requested professional leave, after the district has received a claim for reimbursement form, which should include an itemized breakdown of the reimbursement claim.

404.4.2 The daily allowance for meals relating to over-night trips will be \$10 for breakfast, \$10 for lunch, and \$20 for dinner. Meals are authorized if the employee is required to depart from the school site prior to 7 AM for breakfast; 11 AM for lunch; and 4 PM for dinner.

Reimbursement will not be paid for meals that are provided as part of a meeting, conference, or hotel registration. Lunch reimbursement will not be paid for a meal that occurs during the normal course of a work day, unless it is part of a working meeting. Examples of non-reimbursable lunches include field trips or in-service meetings in which the meeting is recessed for participants to eat on their own.

404.4.3 All lodging and registration costs will be considered on a case basis.

404.4.4 Mileage will be paid at \$.485 per mile. If more than one person from the district is allowed to attend the same meeting, mileage will be paid on one (1) vehicle only unless there are extenuating circumstances. A district car shall be used when available. If a District car is available and not used for an employee's personal reasons, the mileage reimbursement rate is \$.20 per mile.

404.4.5 On over-night trips, the bus driver will be paid \$50 which is to be taxable compensation.

404.4.6 Employees will not be paid for travel time that exceeds the number of hours for which they are regularly scheduled. This applies to both home to school and home to workshop/meeting travel.

404.4.7 Known Per Diem costs may be paid prior to an employee's departure. Employees who receive a per diem advance, but do not travel will have to reimburse the District. Per Diem checks may be signed by the superintendent and business manager.

Policy History:
Revised on February 11, 2010
Revised on April 8, 2010
Revised on January 13, 2011
Revised on March 12th, 2015
Revised on April 20th, 2017

404.7 STATE INSURANCE COMPENSATION

Personnel are covered by the State Insurance Fund if injured on the job. Persons injured should immediately notify their supervisor. The supervisor will fill out an accident report form and notify the District Administrative Office within one week of the accident. If medical treatment is received the injured person must immediately sign a Notice of Injury and Claim of Benefits form at the District Office.

Any employee who is unable to work due to a work related accident **will not** receive salary compensation from the District for those days the employee is unable to work. Such compensation will come from the State Insurance Fund paid directly to the injured employee after meeting the required five (5) day waiting period. The employee must use sick leave during the first five (5) days following a job related accident if they are unable to work.

In cases where the sums paid amount to less than what the employee would otherwise have earned, that employee may elect to use normally accumulated sick leave to receive compensation for the difference. The combined total of workman's compensation benefit and sick leave benefits **will** not exceed one hundred percent (100%) of the salary to which said employee would otherwise be entitled. Sick leave from the Sick Leave Bank will not be granted during the period that payments are being received from the State Insurance Fund.

All evidence of amounts paid from the State Insurance Fund must be submitted for review to the payroll office prior to approval of the use of sick leave compensation. If an employee is unable to return to work after fourteen (14) days, the State Insurance Fund will reimburse the employee for their salary for the initial five (5) days that the employee was required to use sick leave. If this occurs, the employee can accept the reimbursement or pay the School District to restore their sick days in the amount paid by the State Insurance Fund.

The District will continue to pay its portion of the insurance benefits for an employee who is unable to work due to a job related accident. The benefit payment period will be for six (6) calendar weeks from the date of the incident. If an employee misses work because of the incident beyond six (6) calendar weeks, the employee must pay each month's total insurance premium (including the district's share) until the employee is released to return to work. If an employee elects to allow their insurance to lapse during their absence, he/she must qualify for insurance according to the individual insurance policy's requirements when they return to work.

Policy History:

Adopted on: May 11, 2000

404.8 INSURANCE

The School District shall provide insurance. The district portion of the total insurance cost will be negotiated annually for each full time certificated and non-certificated staff member to cover the

cost of a comprehensive group medical program, including major medical coverage, dental, vision and term life insurance.

Coverage shall begin the first day of the first month following the effective date of the employment contract and shall be continuous twelve (12) month coverage or until termination of employment.

Upon request, payroll deduction shall be made available to those employees who wish to provide additional payment for the full family premium.

Policy History:

Adopted on: October 8, 1998

Revised on: October 11, 2007

404.9 CANDIDATE FOR PUBLIC OFFICE/USE OF PROFESSIONAL TITLE FOR POLITICAL PURPOSES

A teacher has the right to become a candidate for public office and to serve in such elective office unless there is a specific legal prohibition, provided that such does not interfere with his/her teaching assignment. Leave of absence will be granted without pay in order to run for, or serve in public office.

The use of education titles for political purposes is prohibited unless a teacher or administrator is running for a specific public office.

Cross Reference: Professional agreement between Educators of #253 and Board of Trustees.

Policy History:

Adopted on: January 11, 2001

404.10 JURY DUTY

Certificated employees in the District may be excused for jury duty. While on jury duty, the employee will receive regular salary in an amount equal to full pay from the District Court and School District. The stipend from the court will be turned over to the District.(Not including mileage)

Policy History:

Adopted on: September 19, 1985

404.11 PAYROLL DEDUCTIONS

Certificated employees will be allowed a maximum of nine (9) payroll deductions each month for programs implemented during the sign-up period. Payroll deductions will include the four (4) mandatory programs, which are federal and state income tax, social security and public employment retirement. Employees, if they desire, may have five (5) other deductions from the following types of programs: tax sheltered annuities, credit union, insurance, and professional dues.

If an employee desires to have payroll deductions beyond the nine (9) allowed, he/she may do so, but would be charged a reasonable administrative cost, as determined by the Board, for each one that exceeded nine.

The sign up period for adding on or altering programs, which effect payroll deductions, is from August 1 to September 30, each year. After this date, additions or alterations will not be permitted.

Policy History:

Adopted on: September 19, 1985

405 CERTIFICATED PERSONNEL RELATED CONSIDERATION

405.1 SCHOOL DAY

Certificated personnel are required to be at school at the following time:

Hamer Principal-7:30 a.m. to 4:00 p.m.

Other Principals-7:45 a.m. to 4:15 p.m.

Hamer Teachers-7:30 a.m. to 3:20 p.m.

Other Teachers-7:45 a.m. to 3:35 p.m.

Policy History:

Adopted on: September 19, 1985

Reviewed: August 9, 2007

405.2 KEYS TO BUILDINGS

It is the policy of the West Jefferson School District Board of Trustees to safeguard the security of District students and personnel and to provide appropriate access to District property. This policy describes the control of the use and possession of keys to District facilities--including general provision for key and building security, key issuance procedures, distribution of keys, responsibilities regarding lost, stolen, or missing keys, eligibility for possession, and provision for contractor access.

Purpose

1. To provide manageable access control for the distribution and accountability of keys, to safeguard students and staff, and to insure and maintain the integrity of the lock and key systems.
2. To minimize financial losses to the District resulting from unauthorized entry and reduce property damage and theft.

Application

1. The following persons shall be responsible for the issuance, maintenance, and return of all keys under their jurisdiction:
 - a. Superintendent
 - b. Principals
 - c. Department supervisors/managers.
2. Principals or department supervisors/managers shall keep key records of all keys relating to their respective jurisdictions.
3. In the event of a suspected or known loss, theft, or unauthorized use of keys, the principal or administrator shall notify the Maintenance Supervisor & Operations Department immediately.
4. Keys are maintained by the maintenance supervisor for substitute custodian use. These are to be turned at the end of the assigned time.
5. District Master Keys are not issued to temporary, substitute personnel, non-employees.
6. Persons issued keys shall at all time take reasonable precautions to prevent their loss or theft. Damage suffered by the District resulting from the loan of a key or loss of a key is the direct responsibility of the person to whom the key was issued.

Key Security

1. No keys are to be duplicated except through the Maintenance Department. Duplication by anyone else is viewed as willful violation of this policy. The employee will be held financially liable where damage or loss to district property results from such action, and may be denied the privilege of having a key.
2. All keys issued to any employee must be accounted for before clearance is granted upon separation from the District, or the final check can be issued.
3. Loaning of keys is expressly prohibited. Keys are not to be issued, loaned or used by anyone other than the person assigned the key, at any time. Keys found with anyone other than the assigned person will be collected and turned over to the site administrator.
4. Adult, non-employee patrons may check out a limited use key on the following basis:
 - a. Upon a signed rental agreement.

- b. In the event that a rental fee is waived by the Board of Trustees.
- c. Upon a signed usage agreement, for personal, individual access to the weight room.

5. Licensed contractors may check out a limited use key which is needed to fulfill the requirements of their contract.

Policy History:

Adopted on: September 19, 1985

Revised on: October 11, 2007

Revised on: April 8, 2010

405.3 EXCUSING STUDENTS

Teachers are not to excuse students from the building in the High Schools or Junior High Schools. This is the responsibility of the Principal or his adult secretary, if he/she has one.

Policy History:

Adopted on: September 19, 1985

405.4 CODE OF ETHICS

Teachers are expected to conform to the Code of Ethics of their profession. Re-employment is contingent upon such conformity. In particular, attention is directed to the accepted provisions that the teacher refrains from making disparaging remarks about the student, the student's home, or fellow teachers, and avoids destructive or vindictive public statements which undermine the public trust in professional colleagues. The teacher discloses, through proper channels, without fear or favor, misconduct of any type which is clearly detrimental to the profession and protects the ranks of the profession from those deficient in morals, standards, or ability.

Policy History:

Adopted on: September 19, 1985

405.5 SALARY CHANGES

Each instruction and administrative staff position shall be assigned an appropriate multiplier based on the most recent State Career Ladder. In determining the experience factor, the actual years of teaching or administrative service in an accredited public school or in an accredited private or parochial school shall be credited.

In determining the education factor, only credits earned after initial certification, based upon transcripts on file with the Teacher Certification Office of the State Department of Education, earned at an institution of higher education, accredited by the State Board of Education or a regional accrediting association, shall be allowed.

All certified staff must notify the District Office in writing by August 1 of each year if a salary lane change is expected. Official transcripts or a letter from the credit granting institution verifying credits completed must be on file at the District Office by October 1 of each year.

Policy History:

Adopted on: July 26th, 1995

Revised on July 13th, 2017

405.6 EXTENSION OR RESIDENT CREDIT

Anyone who takes extension or residence credit during the time that school is in session must receive permission from the Superintendent to exceed nine (9) semester hours. Teachers who go as high as nine (9) semester hours should space their classes throughout the school year so that probable neglect on their position as teachers will not occur.

Policy History:

Adopted on: September 19, 1985

405.8 LESSON PLANS

Teachers will make available daily instructional plans for WJSD upon request. These plans shall include the following information.

1. Purpose of the lesson
2. The Idaho State Content Standard and Objective being taught
3. Differentiated Instructional Strategies and Activities
4. Assessment/Scoring Rubric - student proficiency
5. Interventions

Policy History:

Adopted on: September 19, 1985

Revised on: December 6, 2006

405.9 HOURS OF WORK

Basic Hours: The Basic hours of work for certified teachers shall be seven (7) hours and Fifty (50) minutes per day.

Policy History:

Adopted on: September 19, 1985

Revised on: May 21st, 2015

405.10 TEACHING ASSIGNMENTS

Grade, subject, and building assignments shall correspond to the teacher's certification and shall be made annually by the Superintendent with consultation of the Principals.

Policy History:

Adopted on: September 19, 1985

405.11 TEACHING EXPERIENCE

Refer to current salary schedule.

405.12 TEACHING CONDITIONS

The District recognizes that optimum school facilities for both student and teacher are desirable to insure high quality education. It is also acknowledged that the primary duty and responsibility of the teacher is to teach, and that the organization of the school and the school day should be directed toward insuring that the energy of the teacher is primarily utilized to this end.

- a. The State Standards for classroom size shall be used as a guide in calculating the number of classroom teachers in the various schools. When individual classroom loads become excessive, relief may be provided with teacher aides.

- b. The Board recognizes that appropriate texts, library reference facilities, maps and globes, laboratory equipment, audio-visual equipment, art supplies, athletic equipment, and similar materials are the tools of the teaching profession. The District shall involve parents and qualified teachers in the subject area involved for the purpose of improving the selection and use of such additional lines.

Policy History:
Adopted on: September 19, 1985

405.13 SUPERVISION OF BUILDINGS, GROUNDS AND BUSES

The duties of a teacher shall include supervision of students at various activities in the building, on the school grounds, while loading, unloading, and riding buses. This includes school activities in the evenings and during the school day when designated by the principal.

Policy History:
Adopted on: September 19, 1985

405.14 GRADE CUTS

Students grades will not be cut as punitive measures of discipline.

Policy History:
Adopted on: September 19, 1985

405.15 STUDENT DISCIPLINE AND CONTROL

One of the primary purposes of establishing control in an instructional situation is to guide pupils so they can enhance the immediate efforts of teachers and other pupils in the learning situation. Administrators and teachers are expected to establish standards of conduct to create a safe atmosphere of courteous attention that is conducive to pupil self-control. Administrators and teachers shall have the power to adopt any reasonable rule or regulation to control and maintain discipline and otherwise govern students. (Also see Policy 502.1 Maintenance of Orderly Conduct)

Penalties should be contingent and commensurate to the age of the student and the seriousness and repetitive nature of the offence, being neither in excess or extreme. Students should be treated with fairness and impartiality. Corporal punishment may not be used for correcting misbehaving students.

Policy History:
Adopted on: September 19, 1985
Revised: January 10, 2013

405.16 GRIEVANCE PROCEDURES

A. Definitions:

1. A grievance is a claim based upon an event or condition which affects the salaries, district paid benefits or terms of the employment contract of a teacher or group of teachers.
2. The term "days" when used in this article, except where otherwise indicated, shall mean working school days.

B. Purpose:

1. The purpose of this procedure is to secure, at the lowest possible administration level, equitable solutions to the problem which may from time to time arise affecting the well-being of teachers.

C. General Procedures:

1. Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level would be considered as a maximum and every effort should be made to expedite the process.

D. Initiation and Processing:

When any teacher or group of teachers voices a claim of infractions the following procedures will be followed:

1. The grievant will first discuss the grievance with the principal or immediate supervisor.
 - a) If the grievance is not resolved within one week after meeting with his immediate supervisor, the grievant may file the grievance in writing with the Superintendent.
 - (b) The Superintendent will meet with the grievant within one week after receipt of the written grievance.
3. (a) if the grievance is not resolved within one week after meeting with the Superintendent, the grievance may be referred by the Superintendent to the Board.
 - (b) The grievance may be referred immediately to the Board if the Superintendent feels such action is warranted.
 - (c) Within one month of receiving the written grievance, the Board will meet with the grievant.
4. If the grievance is not resolved within ten days after meeting with the Board, the grievant may within fifteen (15) days of said meeting cooperate with the Board in choosing a mutually acceptable arbitrator. Arbitrator's fee shall be shared equally by both parties.

5. Either part to the airing of a grievance has the right to an adviser and/or legal counsel.

6. Rights of Teachers to Representation:

(a) No reprisals of any kind will be taken by the Board or by any member of the administration against any interested party, and association representative, any member of the grievance committee or any other participant in the grievance procedure by reasons of participation.

(b) Nothing herein contained shall be construed as limiting the right of any individual teacher, or any group of teachers, having a grievance from presenting, in person, or through representatives of their own choosing such grievance to any appropriate member of the administration

7. The Board retains the right to accept, modify, or reject the recommendations of the arbiter and to make final judgments relating to any grievance.

Miscellaneous:

(a) Decisions rendered will be in writing and set forth the decision and the reasons therefore and will be transmitted promptly to all interested parties and to the chairman of the grievance committee, if requested by the grievant.

(b) All documents, communications and records dealing with the processing of a grievance will be filed in the personnel files of the participant(s).

(c) The Board agrees to make available to the grievant and his/her representative all pertinent information in its possession or control and which is relevant to the issues raised by the grievance.

Policy History:

Adopted on: September 19, 1985

Revised on: August 11, 2011

405.17 TUITION REIMBURSEMENT, MIS-ASSIGNED TEACHERS

This policy is replaced by 902

405.18 CERTIFICATED EMPLOYEES' SICK LEAVE BANK

A. Each professional employee of the District may participate in this bank. To join, an individual shall in writing, contribute two days of his/her sick leave by November 1 of the current contract year.

B. To draw upon the Bank, a teacher:

1. Must be a contributor.
2. May borrow up to 15 days at a time, each request being subject to approval of a Sick Leave Bank Committee.
3. May borrow no more than 60 days in one year, or the balance left in the bank.
4. Must have used up all his/her personal and sick leave and have 4 days of salary deduction before borrowing from the Bank.

C. The Sick Leave Bank Committee shall consist of three teachers to be appointed by the Educator's president and one member of the Board. This committee will report to the District Office the names of the contributors and the number of days contributed. It will also report all days granted by the Bank and all other information required for employee records.

D. Teachers receiving workmen's compensation will not be eligible to borrow from the Bank.

E. The Sick Leave Bank will carry over contributed but unused days to the next instructional year.

Other Provisions:

1. No grant will be carried over into the next instructional year.
2. Contributors to the Bank will be requested at the end of each instructional year to contribute as many days as necessary to begin the next year with a meaningful balance.

Cross reference: Professional Agreement between Educators of #253 and Board of Trustees.

Policy History:

Adopted on: September 1, 1990

405.19 EMPLOYER DUTIES

It is unlawful for any employer to maintain a blacklist, or to notify any other employer that any current or former employee has been blacklisted by such employer, for the purpose of preventing such employee from receiving employment.

An employer who in good faith provides information about the job performance, professional conduct, or evaluation of a former or current employee, at the request of the prospective employer of that employee, at the request of the prospective employer of that employee, or at the request of the current or former employee, may not be held civilly liable for the disclosure or the consequences of providing the information.

There is a rebuttable presumption that an employer is acting in good faith when the employer provides information about the job performance, professional conduct, or evaluation of a former

or current employee to a prospective employer of that employee, at the request of the prospective employer of the employee or at the request of the current or former employee.

This presumption of good faith is rebuttable only upon showing by clear and convincing evidence that the employer disclosed the information with actual malice or with deliberate intent to mislead. Actual malice means knowledge that the information was false or given with reckless disregard of whether the information was false.

Legal Reference: I.C. 44

Policy History:

Adopted on: September 18, 1996

405.20 SUICIDAL TENDENCIES-DUTY TO WARN

Neither a teacher nor a school district shall have a duty to warn of the suicidal tendencies of a student absent the teacher's knowledge of direct evidence of such suicidal tendencies.

Direct evidence means evidence which directly proves a fact without inference and which in itself, if true, conclusively establishes that fact. Direct evidence would include unequivocal and unambiguous oral or written statements by a student which would not cause a reasonable teacher to speculate regarding the existence of the fact in question; it would not include equivocal or ambiguous oral or written statements by a student which would cause a reasonable teacher to speculate regarding the existence of the fact in question.

The existence of the teacher's knowledge of the direct evidence referred to shall be determined by the court as a matter of law.

Legal Reference: Idaho Code 33-512

Policy History:

Adopted on: August 8, 1996

406 PART TIME CERTIFICATED PERSONNEL

406.1 SUBSTITUTE TEACHERS

1. People wishing to apply for substitute teaching must be interviewed, and receive recommendations from at least two principals in the district. The principal will fill out a short written recommendation to the Board of Trustees before the substitute may be hired.
2. The substitute will be responsible to come to the district office to fill out appropriate payroll paperwork and to be fingerprinted. District will pay for fingerprinting. This must happen before the Board of Trustees will approve the prospective substitute. Under special circumstances, and upon the recommendation of two principals, a substitute may be used for up to three days before the background check is completed.
3. Each school Principal or designee is responsible for submitting a revised substitute list to the superintendent by the 2nd Friday in September to be on the school board meeting agenda.
4. Each fall, before the substitute list has been submitted to the board, the school secretaries will work together in calling each person to verify if they are interested in continuing to substitute. After the calls are made each secretary will return their portion to the district where the lists will be compiled for approval and redistributed to each school. A revised list will be sent to the schools in January with any new approved names added during the year.
5. To hire a substitute for an employee in any of the schools, the Principal should instruct the employees to contact him/her with reasons for, and date of, their absence. Upon his/her approval, the principal or employee will contact the secretary to call the substitute. In case of early morning calls to the Principal, if it means a long distance call, the Principal will contact the secretary. The secretary will be responsible to get paperwork for verification of the absence to the employee and the substitute on the day of the absence.
6. The Principal shall make every effort to fill temporary teaching positions with substitutes who have preparation suitable to appropriately teach that subject. Teachers are not to employ their own substitutes.
7. Properly certificated substitutes shall be paid on a daily rate for their teaching services. Such rate for certificated and non-certificated substitutes shall be set annually by the Board at the time of salary consideration. A substitute who serves in a specific teaching assignment, for the same teacher, in excess of 11 consecutive teaching days shall be paid, beginning with the twelfth day, an amount greater than the daily rate, as established by the Board.

8. The "Report for Substitute Teachers", shall be filled in by the person doing substitute work. This shall be sent to the Administrative Office no later than the second Friday of each month by the building secretary for payment during that month. It should be attached to the "Teacher's Statement of Absence" and returned with the Payroll Variation Report.

9. The Volunteer and Substitute Teacher Code of Confidentiality must be signed prior to employment.

10. Substitute teachers do not participate in health insurance or other fringe benefits of the school district.

Policy History:

Adopted on: September 19, 1985

Revised on: August 14, 2003

Revised on: December 6, 2006

Revised on: May 15th, 2014

Revised on: May 21st, 2015

406.2 VOLUNTEER/ SUBSTITUTE CONFIDENTIALITY

Volunteers may see student records whether they are doing data entry or not. To make sure volunteers know the importance of keeping records confidential, the West Jefferson School District requires all Volunteers to sign this Volunteer Code of Confidentiality.

Volunteer Code of Confidentiality

1. All student records should be considered confidential.
2. Records should not be left in a place where they can be viewed by others.
3. Copies of records can only be shared with administrative approval.
4. Volunteers should not discuss or repeat information overheard while in the staff lounge or offices by teachers or administrators.
5. Volunteers should not discuss information obtained while in a classroom, such as a student's grade or behavior, with anyone other than the student's teacher.
6. Directory information, including student's and staff's name, address, telephone number, date and place of birth, student's photograph, participation in officially recognized activities and sports, weight and height of student members of athletics teams, dates of attendance and awards

received, and previous educational agencies or institutions attended can only be shared with administrative approval.

7. Concerns or questions regarding student records or issues of confidentiality should be brought to the attention of the staff member that supervises the volunteer and the administrator.

8. Any knowledge of a violation of this Code of Confidentiality should be immediately reported to the school administrator and the staff member who supervises the volunteer.

By signing, I acknowledge that I have read, understand, and will comply with the Volunteer Code of Confidentiality.

Date	Signature
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Policy History:
Adopted on: December 6, 2006
Revised on:

407 CLASSIFIED PERSONNEL EMPLOYMENT

407.1 NATURE OF EMPLOYMENT

All persons employed as classified employees are considered in all respects to be employees "at will" of the District. In particular, all classified employees are employed at the discretion of the Board of Trustees and shall have no right to continue employment or employment benefits, except as may be agreed in writing and expressly approved by the Board. No statement, verbal understanding or conduct by any officer, supervisor or elected official shall be binding upon the District unless such statement, action or representation is expressly approved in writing by the Board. Further, nothing in the Board Policy or any other employee handbook is to be construed as a contract of employment or any binding state

407.2 RECRUITMENT AND SELECTION

Recruitment and selection of non-certificated personnel shall be the responsibility of the administration. The Superintendent shall have the authority to hire, demote, discipline, or terminate classified employees, subject to appropriate budgetary constraints established by the

Board. The Superintendent shall be able to delegate recruitment and selection responsibilities to staff members. Names and salaries to be paid shall be presented at the next meeting of the Board.

Selection shall be based upon the merits of the candidates without regard to race, religion, sex, or marital status.

Policy History:

Adopted on: September 19, 1985

407.3 QUALIFICATIONS

Selection of staff personnel shall be determined on the following criteria:

1. Training, experience, and skill.
2. Demonstrated competency.
3. Suitability for the position.
4. Personal characteristics.
5. Compatibility with educational philosophy.
6. Qualifications for state license as required.

Policy History:

Adopted on: September 19, 1985

ment or representation which specifies the duration of employment or limits the reasons for which an employee may be discharged. The Board Policy creates no rights, contractual or otherwise, on behalf of the employee of the District.

Policy History:

Adopted on: December 13, 2001

407.4 Classified Employee Evaluation

Supervisors shall evaluate the individual performance of each employee under their direct supervision within each fiscal year using district approved evaluation forms. Employees new to the district will also have a 90 day review of their performance. The results of the evaluation

will be discussed with the employee and filed in the employee's personnel file. Employees have the right to attach a written response to their evaluations.

407.5 Classified Employee Probation, Remediation, Discipline, and Dismissal

Probation and Remediation: An employee may be placed on probation at any time by the Superintendent, who then will inform the Board such action. The following procedure will generally be followed by the supervisor with respect to the placement of any employee on probation:

- Review past work performance.
- Document specific problems.
- If probation is recommended, inform the employee both orally and in writing. Include a written growth plan which detailed specific actions and attitudes required for continued employment.
- Specify time limits of probationary period.
- Reevaluate monthly and near end of probationary period and recommend: 1) Continued probation, or 2) Removal from probation, or 3) Dismissal.
- At the conclusion of the probationary period, copies of all documentation will be forwarded to the Business Office for historical reference and placed in the employee's personnel file.

Discipline: The Superintendent is authorized to suspend a classified employee for violation of Board Policy and/or conduct which is judged to be detrimental to the safety and/or working conditions of the school district. Such suspension shall be immediately report to board members who will meet in executive session within three working days to formally address the matter.

Dismissal: Notwithstanding the foregoing, an employee will remain subject to discharge for the convenience of the District at any time, even though the employee may be on probation and the period of probation has not expired. Such discharge will occur through formal action of the board in a regularly constituted meeting.

408 NON-CERTIFICATED PERSONNEL EMPLOYMENT

408.1 ASSIGNMENT AND TRANSFER

Changes in assignment may be initiated by an employee submitting a request to his immediate superior or by the immediate superior initiating the request.

All reassignments shall be made only after discussion by those principally concerned and with the full knowledge of all related parties. Final action on reassignments shall not be taken until approval has been given by the Superintendent. All assignment changes are to be reported to the Board

Policy History:

Adopted on: September 19, 1985

408.2 Classified SALARY SCHEDULE

The Board has established the following salary schedule for non-certificated positions in the school system. The administration shall use this schedule as a guide in employing non-certificated employees. Salaries for the positions of Business Manager, Technology Coordinator, and Maintenance Supervisor shall be set annually by the Board.

CLASSIFIED SALARY SCHEDULE 2016-2017								
	Para Professional	Custodian	Lunchroom	Maintenance	Secretary	Lunchroom Supervisor	Bus Supervisor	Bus Driver
Step 1	9.18	9.18	9.18	13.53	10.93	11.39	15.65	11.64
Step 2	9.46	9.46	9.46	13.93	11.25	11.73	16.10	11.98
Step 3	9.74	9.74	9.74	14.33	11.57	12.07	16.56	12.32
Step 4	10.02	10.02	10.02	14.73	11.89	12.41	17.02	12.66
Step 5	10.30	10.30	10.30	15.13	12.21	12.75	17.48	13.00
Step 6	10.58	10.58	10.58	15.53	12.53	13.09	17.94	13.34
Step 7	10.86	10.86	10.86	15.93	12.85	13.43	18.40	13.68
Step 8	11.14	11.14	11.14	16.33	13.17	13.77	18.86	14.02
Step 9	11.42	11.42	11.42	16.73	13.49	14.11	19.32	14.36
Step 10	11.70	11.70	11.70	17.13	13.81	14.45	19.78	14.70
Step 11	11.98	11.98	11.98	17.53	14.13	14.79	20.24	15.04
Step 12	12.26	12.26	12.26	17.93	14.45	15.13	20.70	15.38
Step 13	12.54	12.54	12.54	18.33	14.77	15.47	21.16	15.72

STEPS =

3% OF

BASE

0.28

0.28

0.28

0.40

0.32

0.34

0.46

0.34

Minimum Salary = \$9.18

Steps Awarded:

1. Each full year of service

Note: Raise is 2% total across columns.

Policy History:

Adopted on: September 19, 1985

Revised on: October 14, 2010

Revised on: June 14, 2012

Revised on: March 20, 2014

Revised on: June 19, 2014

Revised on: May 11, 2015

Revised on: May 19, 2016

408.3 VACATIONS

Vacation Policy - 12 month Classified Employees

1. Vacation will accumulate to full time non-temporary classified employees based on the following;
2. One work week (5 days) paid vacation after one year experience with the West Jefferson School District. This work week cannot be taken until the first year of work is complete.
3. Two work weeks (10 days) paid vacation after two years experience with the District. These two weeks of paid vacation are not available until the second year of work is completed, and at the completion of each successive year.
4. An employee must receive prior approval from his/her immediate supervisor before going on vacation. These requests must be presented at least one week on advance.
5. Eligibility for vacation time will be calculated only if an employee has worked at least 1/2 time for 12 months with the District. Credit will be prorated.
6. Any vacation days earned by July 1st of one year must be used prior to October 1st of the following year, or they will be lost. Exceptions to this policy must be approved by the superintendent or in the case of the superintendent's personal vacation by the majority of the board. Exceptions to this policy may only be granted if failure to do so would cause the district irreparable harm. Such exceptions will permit the employee to accumulate vacation beyond October 1st of the following year with the understanding that such days will be used as soon as possible.

7. When a person terminates employment, any unused vacation time must be used (using directions in 1-6 above) prior to termination date or it will be lost.

8. The revisions to this policy apply to vacation leave earned after July 1, 2009.

Policy History:

Adopted on: May 11, 1995

Revised on: October 11, 2007

Revised on: August 13, 2009

408.4 JURY DUTY

Non-certified employees in the district may be excused for jury duty. While on jury duty, an employee will receive salary in an amount equal to full pay from the District Court and School District.

Policy History:

Adopted on: September 19, 1985

408.5 PAYROLL DEDUCTIONS

Non-certified employees will be allowed a maximum of eight (8) deductions each month for programs implemented during the sign-up period. Payroll deductions will include the four (4) mandatory programs, which are federal and state income tax, social security, and public employee retirement. Employees, if they desire, may have four (4) other deductions from the following types of programs: tax sheltered annuities, credit union, insurances, and professional dues.

The sign-up period for adding on or altering programs, which affect payroll deductions, is from August 1 to September 30 each year. After this date additions or alterations will not be permitted. (See teacher policy)

Policy History:

Adopted on: September 19, 1985

408.6 Overtime - Classified Employees

Classified employees who work more than forty (40) hours in a given work week may receive overtime pay of one and one-half (1 1/2) times the normal hourly rate. No overtime is authorized for any classified employee without the specific approval of the Superintendent, except, as the Superintendent shall otherwise prescribe.

1. A classified employee may not volunteer work time in an assignment similar to his or her regular work without pay.
2. A non-exempt employee who works overtime without authorization may be subject to disciplinary action.
3. A classified employee cannot use sick leave, personal leave, or vacation leave to receive over-time pay or pay which is in excess of his/her base hours. Any such leave can only be used to bring the employee up to his or her base number of hours within the defined work week.

Legal Reference: 29 USC 201, et seq. Fair Labor Standards Act

Policy History:

Adopted on: March 10, 2005

Reviewed on: October 8, 2007

Revised March 11, 2010

408.7 CLASSIFIED LEAVE

Sick, Personal, Bereavement, Professional, FMLA, Leave of Absence, Compensatory Time, and Paid Holidays

GENERAL INFORMATION

Employees who work 6 hours per day, 5 days a week and 9 months are defined as full time employees. One (1) step will be allowed on the salary schedule for each year of college completed.

1.0 Sick Leave and Health Benefits:

1.1 Classified full time employees will receive one (1) day sick leave for every month worked. The employee will receive Health, Dental and Vision Insurance for themselves at the time they begin work if they are a full time non-temporary employee. Family insurance is available to full time non-temporary employees and may be purchased by the employee.

1.2 Sick leave cannot be used to extend employment time. Sick leave is to be used when it is the intent to return to employment as soon as the illness or disability is terminated.

1.3 It is further understood that for extreme illness of the employee's spouse, children, parents, brothers, and sisters of the employee and spouse: that the employee shall be allowed sick leave, where the employee is the one who must care for this person who is seriously ill.

1.4 For sick leave of three (3) consecutive days or more, it shall be required of the employee to notify school administration of the reasons and present medical explanation, either written or by phone. If the employee has a long term illness of over (5) days, the employee (or authorized representative) shall submit a request for FMLA and be required to inform administration weekly of the situation. Administration may require additional medical verification.

2.0 Personal Leave:

2.1 Full time classified employees who work more than 20 hours per week and nine months per year shall be granted personal leave at the rate of three (3) days per year. Personal leave may be accumulated to a maximum of Seven (7) days. A Maximum of five (5) personal leave may be used annually with full pay and no loss of sick leave days. Four (4) unused personal leave days may be rolled over for the next year. In June, any unused personal leave days over Four (4) will be reimbursed in June salary payment, at the rate \$50 per day for regular classified employees, \$100 per day for exempt classified employee.

Year around full time Classified Employees will be granted 4 personal days per year.

2.2 Temporary employees that do not qualify for PERSI benefits are not granted personal leave.

2.3 Prior arrangement must be made with the Principal/Supervisor for the use of a personal leave day.

3.0 Bereavement Leave:

3.1 Definition of "Immediate Family" The employee's spouse, children (and children's spouses, if married), grandchildren, grandparents, the father, mother, brothers, and sisters, spouses or children of brothers and sisters, and Aunts and Uncles of the employee as well as of his or her spouse.

For the death in the immediate family, the employee may:

3.2 Be allowed per event be allowed a maximum of three (3) days absence without wage deduction.

3.3 For absence beyond three (3) days, the employee may be allowed up to two (2) days sick leave or; have wage deducted at a rate consistent with their daily pay.

3.4 Arrangements and prior approval must be made with the Principal as soon as possible.

3.5 For funerals other than in the immediate family, a classified employee shall be allowed to conduct or participate in the funeral with the Superintendents approval, with salary deduction at a rate consistent with their daily pay; provided that prior authorization is secured from the Superintendent and that no less than 1/2 day be charged against the employee; such deduction to be whether or not a substitute is used.

4. Professional Leave

4.1 Classified personnel may be granted leave without loss of pay and substitutes provided, for the following purposes directly related to improvement of instruction: attendance at professional meetings, workshops, conferences or seminars, inter-school or intra-school visiting, or other activities deemed appropriate by the District.

4.2 The School Board will approve all travel and professional leave budgets at the annual budget hearing. The School Board will approve all out of State travel beyond a 350 mile radius. Requests for such leave shall be made to the School Board in advance. All other requests for professional leave shall be made to the Superintendent at least five (5) days in advance of the date of the leave. Approval will be made by the Superintendent after considering the following information.

4.3 Approval Information Necessary:

- 4.3.1 Approval from the building principal or supervisor.
- 4.3.2 A clear statement of purpose in making the request.
- 4.3.3 A clear description of the planned activity.
- 4.3.4 How the planned activities relate to present district assignment.
- 4.3.5 Why the described activities warrant professional leave?
- 4.3.6 How the district will directly benefit from the professional leave?
- 4.3.7 The funding source for expenses that might accrue to the district. This should reflect a specific amount of expected expenditures i.e. lodging, meals, registration, travel, etc.

4.4 Financial Guidelines/Information:

4.4.1 Reimbursement will be made following the completion of the requested professional leave, after the district has received a claim for reimbursement form, which should include an itemized breakdown of the reimbursement claim.

4.4.2 The daily allowance for meals relating to over-night trips will be \$10 for breakfast, \$10 for lunch, and \$20 for dinner. Meals are authorized if the employee is required to depart from the school site prior to 7:00 A.M. for breakfast; 11:00 A.M. for lunch; and 4:00 P.M. for dinner. Reimbursement will not be paid for meals that are provided as part of a meeting, conference, or hotel registration.

4.4.3 Lunch reimbursement will not be paid for a meal that occurs during the normal course of a work day, unless it is part of a working meeting. Examples of non-reimbursable lunches include field trips or in-service meetings in which the meeting is recessed for participants to eat on their own.

4.4.4 All lodging and registration costs will be considered on a case basis.

4.4.5 A district car shall be used when available. If a District car is available and

not used for an employee's personal reasons, the mileage reimbursement rate is \$.20 per mile. Mileage reimbursement, when a district car is not available, will be paid at \$.485 per mile. If mileage is requested for .485 per mile this shall be cleared with superintendent. If more than one person from the district is allowed to attend the same meeting, mileage will be paid on one (1) vehicle only, unless there are extenuating circumstances approved by the superintendent.

4.4.4 On over-night trips, the bus driver will be paid \$50 which is to be taxable compensation.

4.4.5 Employees will not be paid for travel time that exceeds the number of hours for which they are regularly scheduled. This applies to both home to school and home to workshop/meeting travel.

4.4.6 Known Per Diem costs may be paid prior to an employee's departure. Employees who receive a per diem advance, but do not travel will have to reimburse the District. Per Diem checks may be signed by the superintendent and business manager.

5. Family Medical Leave Act

5.1 An Eligible employee is one who has at least 1,250 hours of service for the employer during the 12 month period immediately preceding the leave. Eligible employees of West Jefferson School District #253 may take up to 12 workweeks in any 12 months according the Federal Family Medical Leave Act due to the following reasons:

- The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care;
- To care for a spouse, son, daughter, or parent who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job; or
- For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

5.2 If approved, the 12 month period begins with the first day absent following five (5) days of absence for a district determined qualifying FMLA reason. The District requires employees to "substitute" (run concurrently) accrued paid leave, such as sick, sick bank (if eligible) or personal, to cover some or all of the FMLA leave period. Any remaining days of approved FMLA "unpaid" leave will be deducted at the employee's daily salary rate.

5.3 In invoking the Family Medical Leave Act, the employee should provide 30 days advance notice or if unforeseeable, the employee must provide notice as soon as possible and practicable under the circumstances. When an employee requests FMLA leave due to his or her own serious health condition or a covered family member's serious health

condition, the District requires certification in support of the leave from a health care provider. The District may also require second or third medical opinions (at the employer's expense) and periodic recertification of a serious health condition.

5.4 When an employee returns from FMLA leave, he or she must be restored to the same job or to an "equivalent job". The employee is not guaranteed the actual job held prior to the leave. An equivalent job means a job that is virtually identical to the original job in terms of pay, benefits, and other employment terms and conditions. If an employee is provided group health insurance, the employee is entitled to the continuation of the group health insurance coverage during FMLA leave on the same terms as if he or she had continued to work. An employee on unpaid FMLA leave must make arrangements to pay the normal employee portion of the insurance premiums in order to maintain insurance coverage.

5.5 West Jefferson School District #253 abides by all facets of the Federal Government's Family Medical Leave Act.

6.0 Short-term Unpaid Leave of Absence

6.1 Short-term, unpaid leave may be requested, of not more than the number of hours in an employee's regularly scheduled work-day, providing the following conditions are met:

- For leave which exceeds one-half of an employee's work day, available personal leave must be taken prior to requesting unpaid leave.
- This option may be taken up to three times per year, but not more than once in any given pay-period.
- The leave request must be submitted in writing and approved in advance by the employee's supervisor. A copy of the written request should be attached to the employee's time card.
- An adequate substitute must be available.

7.0 Compensatory (Comp) Time

Compensatory time will be managed as follows:

7.1 Compensatory time for non-exempt employees must be taken within the work-week in which it is earned. Such time requires supervisor approval and should primarily be used to meet district scheduling needs. Documentation for non-exempt employees is tracked on time cards.

7.2 Compensatory time for exempt employees requires supervisor approval and should primarily be used to meet district scheduling needs. Documentation for exempt employees is tracked on a log maintained by the employee and the supervisor.

7.0 Paid Holidays

7.1 Full time employees who work 12 months each year are eligible for nine paid holidays: New Year's Day, Presidents' Day, Memorial Day, 4th of July, 24th of July, Labor Day, Thanksgiving Day, the Friday following Thanksgiving, and Christmas Day.

7.2 When possible, the employee shall take the day off in which the holiday is traditionally celebrated. When the holiday falls on a week-end, the day off will be determined in consultation with the superintendent. This determination must take into account that all essential services (i.e. furnaces) are covered.

*All requests for unpaid absences, not mentioned above, must be submitted to the School Board for consideration and action. Generally, unpaid absences should be made only for unusual circumstances and emergencies. All approved deductions will be made at the employee's daily salary rate.

Policy History:

Adopted on July 8, 2004

Revised on October 11, 2007

Revised on January 13, 2011

Revised on June 19, 2014

Revised on Aug 20th, 2015

Revised on July 13th, 2017

408.7.7 Classified Employee Sick Leave Bank

A. Beginning with the second year of continuous employment, each classified employee of the District, eligible for sick leave, may participate in this bank providing they have accumulated an equivalent of 10 days of sick leave at the time of joining. To join, an individual shall in writing, contribute two days of his/her sick leave by November 1 of the current school year.

B. To draw upon the bank, a member:

1. Must be a contributor.
2. May borrow up to 15 days at a time, each request being subject to approval of a Classified Sick Leave Bank Committee.
3. May borrow no more than 60 days in one year, or the balance left in the bank.
4. Must have used up all his/her personal and sick leave and have 4 days of salary deduction before borrowing from the Bank.

C. The Sick Leave Bank Committee shall consist of three classified employees to be appointed by the member of the bank with the most seniority and the superintendent. Such appointments or reappointments are to be made annually and prior to the beginning of each school year. The committee shall appoint its own chair and a secretary. This committee shall report to the District Office the names of the contributors and the number of days contributed. It will also report all days granted by the Bank and all other information required for employee records. A double set of records shall be kept; one set by the committee and a duplicate set by the business manager.

D. Employees receiving worker's compensation or long-term disability will not be eligible to borrow from the Bank.

E. The Sick Leave Bank will carry over contributed, but unused days to the next instructional year.

Other Provisions:

1. No grant will be carried over into the next instructional year.
2. To remain active, the member must continue to contribute in half day increments as required to maintain bank solvency within a given year.
3. To remain active, the member must contribute at the end of each instructional year as many days as necessary to begin the next year with a minimum balance of one day per member.
4. If the employee elects not return to full time employment for a minimum of three months, then days drawn from the bank will have to be reimbursed.
5. If a member of the Classified Sick Leave Bank later becomes a certified employee, or if a member of the Certified Sick Leave Bank later becomes a classified employee, the employee can change banks with no additional gain or loss of sick leave days, and without the banks losing or gaining days.

Policy History

Adopted on March 11, 2010

408.8 Federal Programs—Positive Time Reporting

Many programs administered by West Jefferson School District are funded through federal sources and are obligated to meet federal guidelines in order to qualify. If federal funds are used for an employee's salary, the employee is required to record time spent working on a federal program on their timesheet as hours worked through means of "positive time reporting". "Positive time reporting" is recording the *actual* time spent working on a set of activities which are applicable and allowable under the terms and conditions of the funding source.

Any vacation, sick leave, compensatory time taken, holiday pay, or other non-worked pay will be distributed according to the default funding codes assigned to the employee's position.

Monthly review and reconciliation prior to payroll checks being finalized will be performed by the business manager or designee to ensure time is being charged appropriately.

Employee Responsibility

Employees are responsible to correctly charge actual time worked to the appropriate funding source(s) associated with any federal programs. Employees will work with their supervisor and/or SDE Accounting staff to determine correct codes to use on their timesheet.

Supervisor Responsibility

Supervisors are required each pay period to verify hours were actually spent working directly on the federal or other programs and that correct codes were reported on the timesheet.

Program Coordinator/Director Responsibility

The Program Coordinator or Director will discuss program needs with their Supervisor. Coordinators/Directors will closely monitor activities, expenses and revenue of their program and report any deficiencies to the superintendent and the business manager. It is the responsibility of the Program Coordinator/Director/or designee to inform the business manager when a funding source has been exhausted, and if a new index code needs to be established due to rollover into new fiscal year funds or the award of an entirely new federal grant.

Policy History: Adopted on April 14, 2011

411 SEXUAL HARASSMENT IN SCHOOLS

[HARASSMENT COMPLAINT FORM](#)

It is the policy of this school district to maintain a learning and working environment that is free from sexual harassment. Sexual harassment as defined herein, will not be tolerated in this school district. It will be a violation of this policy for any student or employee of the school district to harass a student or n employee through conduct or communication of a sexual nature as defined by this policy.

Any sexual harassment as herein defined when perpetrated on any student or employee by any student or employee will be treated as sexual harassment under this policy.

The school district will act to investigate all complaints, either formal or informal, verbal or written of sexual harassment and to appropriately discipline any student or employee of the district.

SEXUAL HARASSMENT DEFINED: Unwelcome sexual advances, requests for sexual favors of physical conduct or communication of a sexual nature when made by a student or employee to another student or employee constitutes sexual harassment when:

- A. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education, or participating in school related activities, or
- B. Submission or rejection of that conduct or communication by any individual is used as a basis for decisions affection that individual's employment or education; or
- C. That conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education performance, or creating an intimidating, hostile, or offensive employment or educational environment.

Sexual harassment may include, but is not limited to the following:

1. Verbal harassment or abuse.
2. Pressure for sexual activity.
3. Demanding sexual favors accompanied by implied or overt promises of professional treatment with regard to an individual's employment or educational status.
4. Any sexually motivated unwelcome touching.
5. Repeated remarks to a person with sexual or gender-related demeaning implications.
6. The display of sexually suggestive pictures, cartoons, or graffiti; or
7. Graphic verbal comments about a person's body, sexual prowess, or sexual deficiencies.

An individual who has initially welcomed such conduct by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.

PROCEDURES: Complaints by an employee or student who believes that he or she has been subjected to sexual harassment by a student or employee of this school district, or any third person with knowledge or belief of conduct which may constitute sexual harassment should report the alleged acts immediately to an appropriate school district official as designated by this policy. Students and employees are urged to report any unwelcome conduct of sexual nature by supervisors, fellow employees, teachers, or students. The school district recognizes the reluctance by some to report alleged violations of this policy. All complainants are assured that no retaliation shall be taken for the good faith reporting of any violation of this policy.

The school district will respect the confidentiality of the complaint and the individual(s) against whom the complaint is filed as much as possible, consistent with the school district's legal obligations and the necessity to investigate allegations of harassment and take appropriate disciplinary action when the conduct has occurred.

REPORTING: The building principal is the person responsible for receiving oral or written reports of sexual harassment at the building level. An initial report may be made to a teacher, counselor, or administrative staff member, who will then report it to the building principal. The complaint will be filed directly with the superintendent or school board chairman when reports or complaints of sexual harassment occur where there is no building principal, or if the complaint involves the building principal.

If the report is given verbally, the individual receiving the report shall have the complaining party complete the Sexual Harassment Report Form within 36 hours. Failure to investigate any sexual harassment report or complaint as provided herein may result in disciplinary action.

Submission of a complaint or report of sexual harassment will not affect the individual's future employment, grades or work assignments. Use of a formal reporting form is recommended but not mandatory.

INVESTIGATION AND RECOMMENDATION: By authority of the school district, upon receipt of a report of complaint alleging sexual harassment, the building principal (or other

designee as provided in this policy) shall immediately authorize an investigation. This investigation may be conducted by the school district officials or a third party designated by the school district. The investigating party shall provide to the Superintendent a written report of the status of the investigation within fifteen (15) working days after receipt of the complaint.

If the allegations involve the superintendent, the status report shall be provided to the Chairman of the Board of Trustees.

The investigation may consist of personal interviews with complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint.

The school district may take immediate steps, at its discretion, to protect the complainant, students, and employees pending completion of an investigation of alleged sexual harassment. Upon completion of the investigation, a final written report with recommendations shall be made to the Superintendent or to the School Board Chairman when the complaint involves the Superintendent.

SCHOOL DISTRICT ACTION: Upon receipt of a report with recommendations, the school district will take such action as appropriate based on the results of the investigation. Action, if any, taken by the school district may subject staff members to disciplinary action including, but not limited to, reprimand, suspension, or termination. If a substantiated charge is against a student, that student may be subjected to disciplinary action including, but not limited to, suspension or expulsion. The retention or dissemination of information about complaints, investigations, reports, recommendations or action taken should be kept confidential consistent with district policies and statutes. (See also: Idaho Code, Section 67-2345 (b) regarding executive sessions).

REPRISAL: The School District may discipline any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who testifies, assists, or participates in any investigation proceeding or hearing relating to a sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

NON-HARASSMENT: The School district recognizes that not every advance or consent of a sexual nature constitutes harassment. Whether a particular action or incident is a personal, social relationship without a discriminatory employment or educational effect, requires a determination based on all the facts and surrounding circumstances. False accusations of sexual harassment can have a serious detrimental effect on innocent parties. Individuals making false accusations regarding sexual harassment may be appropriately disciplined

Any school GENERAL ISSUES: Under certain circumstances, sexual harassment may constitute sexual abuse as defined by State statutes. Please refer to State statutes relating to reporting requirements for suspected sexual abuse.

District action taken pursuant to this policy will be consistent with the requirements of applicable collective bargaining agreements, and school district policies. The school district will take such disciplinary action as it deems necessary and appropriate, including warning, suspension, expulsion, or immediate discharge to end sexual harassment and prevent its recurrence.

Policy History:

Adopted on: January 12, 1995

411.1 HAZING, HARASSMENT, INTIMIDATION, BULLYING, MENACING

The Board is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing or bullying by students, staff or third parties is strictly prohibited and shall not be tolerated in the district.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

Individuals may also be referred to law enforcement officials. Staff will be reported to Teacher Standards and Practices Commission.

The superintendent is directed to develop administrative procedures to implement this policy. Procedures shall include descriptions of prohibited conduct, reporting and investigative procedures, as needed, and provisions to ensure notice of this policy is provided to students, staff and third parties.

Legal References: 20 U.S.C. 1681, et seq. Title IX of the Educational Amendments

34 CFR Part 106

I.C. 67-5909 Acts Prohibited

Policy History:

Adopted on:

Revised on:

The following definitions and procedures shall be used for reporting, investigation and resolving complaints of hazing, harassment, intimidation, bullying and menacing.

Definitions

1. "Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at inter-district and intra-district athletic competitions of other school events.

2. "District" includes district facilities, district premises and non-district property if the student or employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where employee is engaged in district business.

3. "Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment, i.e., forced consumption of any drink alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate.

4. "Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, [sexual orientation, physical characteristic, cultural background, socioeconomic status or geographic location.

5. "Harassment, intimidation or bullying" means any act that substantially interferes with a student's educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has the effect of:

- a. Physically harming a student or damaging a student's property;
- b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
- c. Creating a hostile educational environment.

6. Intimidation: includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin, or sexual orientation.

7. "Menacing" includes, but is not limited to, any act intended to place a school employee, student or third party in fear of imminent serious physical injury.

Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Confidentiality

It is recognized that harassment is often very distressing for the victim and those who suffer harassment may be reluctant to make their concerns known. All reasonable steps will be taken to ensure that all inquiries and/or complaints are dealt with in confidence.

Policy Distribution

Information about this policy must be distributed to the school community. Faculty and staff will be reminded annually about the policy. Information about the policy will be included in student orientation material and in the student handbook. All new faculty and staff members will be given a copy of the policy as part of the orientation program.

Complaint Procedures

Building principals and the superintendent have responsibility for investigations concerning hazing, harassment, intimidation, bullying or menacing. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any student, employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying or menacing in violation of this policy [shall] [is encouraged to] immediately report his/her concerns.

All complaints will be promptly investigated in accordance with the following procedures:

Step I: Any hazing, harassment, intimidation, bullying, or menacing information (complaints, rumors, etc.) shall be presented to the building principal or superintendent. Complaints against the building principal shall be filed with the superintendent. Information may be presented anonymously. Complaints against the superintendent shall be filed with the Board chairman. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step II: The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within [five] working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The district official(s) conducting the investigation shall notify the complainant and parents as appropriate, [in writing,] when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined. [A copy of the notification letter or the date and

details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.]

Step III: If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within [10] working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within [10] working days.

Step IV: If the complainant is not satisfied with the decision at Step III, written appeal may be filed with the Board. Such appeal must be filed within [10] working days after receipt of the Step II decision. The Board shall, within [20] working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within [10] working days following completion of the hearing.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Idaho Department of Commerce & Labor, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

Documentation related to the incident may be maintained as a part of the student's education records or employee's personnel file. Additionally, a copy of all hazing, harassment, intimidation, bullying or menacing complaints and documentation will be maintained as a confidential file in the district office.

Cross Reference: 3210 Uniform Grievance Procedure

Legal References: 20 U.S.C. 1681, et seq. Title IX of the Educational Amendments
34 CFR Part 106
I.C. 67-5909 Acts Prohibited

Policy History:

Adopted on: December 6, 2006

Revised on

412 DRUG/ALCOHOL TESTING-TRANSPORTATION

In recognition of the harmful effects that the use of illegal drugs and the misuse of alcohol can have on employees engaged in the transportation industry, West Jefferson School District 353 has a responsibility to its driver, and the public at large to see that its commercial vehicle operators are both drug and alcohol free while on duty. This responsibility comes in light of

recent studies showing that employees who are under the influence of drugs or alcohol while on duty, are more likely to cause accidents and injuries, both to themselves and co-workers as well as the public at large. Therefore, West Jefferson School District #253 is implementing this Drug and Alcohol Free Workplace Policy that includes within its provisions those regulations contained within the Department of Transportation (DOT) Controlled Substances and Alcohol Use and Testing as contained in 49 CFR Part 382.

IMPLEMENTATION:

This policy will become effective November 16, 1995 and will apply to all prospective and current employees of this District who are required to obtain a commercial drivers license (CDL) in order to operate a commercial vehicle for this District (hereafter referred to as "drivers").

QUESTIONS REGARDING THIS POLICY:

The District hereby designates the Director of Pupil Transportation as the person responsible for answering questions relating to the provisions of this policy.

DRIVERS' USE OF ALCOHOL:

The District is committed to ensuring that all drivers do not operate a commercial vehicle while under the influence of alcohol. Thereafter, drivers of this District are not to consume alcohol within eight (8) hours of reporting to work. Drivers are not to report to work or remain at work while having an alcohol concentration of .02 or greater. Drivers are prohibited from using or possessing alcohol while they are on duty.

DRIVERS' USE OF ILLEGAL DRUGS:

This District has an absolute prohibition against an employee's use of illegal drugs, or the illegal use or misuse of prescription medication. Evidence that an employee has tested positive for the presence of illegal drugs pursuant to a test given under the terms of this policy will be proof sufficient to establish the employees violation of this provision.

PRE-EMPLOYMENT TESTING:

All prospective drivers will be tested for the presence of illegal drugs, as well as evidence of alcohol intoxication prior to driving a commercial vehicle for this District. Furthermore, all prospective drivers must disclose to the District all previous employers from whom they have worked as a driver within the past two (2) years. The District will then request from those employers all information regarding any incidents where the prospective employee has tested positive for illegal drugs or alcohol, or refused to test. In the event that the District receives information from a past employer that the prospective employee has tested positive for drugs or alcohol within the last two years, that prospective employee will not be offered employment, their conditional employment will be terminated with the District. Drivers will be required to sign a consent form authorizing the District to conduct a check with each employer the driver has been employed with the past two (2) years to determine if the driver has tested positive for illegal drugs or alcohol. Any driver that is found to have previously tested positive for illegal drugs or alcohol must present evidence that they have been evaluated by a Substance Abuse Professional and were found to be non-drug or alcohol dependent.

REASONABLE CAUSE:

The District may require a driver to be tested for illegal drugs or alcohol when there is reasonable suspicion to believe driver is under the influence of illegal drugs or alcohol while at work.

RANDOM TESTING:

All drivers will be subject to random drug and alcohol testing. Random testing selections shall be made by scientifically valid methods that will result in each driver having an equal chance of being tested each time selections are made. Random testing for alcohol will take place just prior to, during, or just after a driver's duty time.

POST-ACCIDENT:

A driver operating a commercial vehicle for the District that is involved in a reportable accident will be tested for both illegal drugs and alcohol as soon as practical. For terms of this policy a reportable accident means an accident that results in a fatality or where someone involved requires medical treatment away from the scene, or if one of the vehicles is towed away, and if there is a citation issued in connection with the accident. Alcohol testing must be administered within two (2) hours of the accident and drug testing must be administered within 32 hours of the accident. Any driver required to be tested under this section must remain readily available for such testing and such a driver may not consume alcohol within eight (8) hours of the accident. A driver who is involved in an accident requiring a drug and alcohol test must notify the District of the accident as quickly as possible and comply with those instructions given them relative to their taking the drug and alcohol test.

BASELINE TESTING:

In initiating the provisions of this drug free workplace policy, the District will require all employees to submit to testing for the presence of illegal drugs after the effective date of this policy as is deemed necessary.

ALTERATION OR SUBMISSION OF A CONCEALED SPECIMEN:

If, during the collection procedure, the collection monitor detects an effort by a driver to adulterate or substitute a specimen, a second specimen will be immediately requested. If a second specimen is provided, that specimen will be tested. If the request for a second specimen is refused, the collection monitor will inform the District contact of the driver's refusal to submit a true specimen. Such conduct by the driver will be considered as a refusal to provide a true specimen for testing.

In the event that a prospective or current employee submits a specimen that the laboratory later identifies as a diluted specimen, the District will advise the employee of that result and request that the employee submit a second specimen. Such donors will be advised by the District not to drink any fluids prior to the testing.

DRUG/ALCOHOL SPECIMEN COLLECTION PROCEDURES:

All testing, of a driver for illegal drugs will be done by testing of a driver's urine specimen. All testing will utilize the split specimen collection procedure. Under that procedure, each driver will

have his/her urine specimen sealed in two separate containers and both sent to a SAMHA certified laboratory for testing.

If a driver's first specimen tests positive, that driver may request, within three (3) days of the positive notification, that the other specimen be tested at another SAMHA laboratory. This second test will be done at the driver's expense unless the second test comes back negative. During the time the second specimen is being tested, that driver will be suspended without pay. Any driver who has a test come back negative will be given back pay for the time of the suspension.

All specimen collections will be conducted by personnel, that have been instructed and trained in collection procedures set by the DOT. All testing for alcohol will be done by the use of a DOT approved breath-testing device, operated by a trained and qualified breath alcohol technician (BAT).

NOTIFICATION OF TEST RESULTS:

This District has arranged that all test results, both drug and alcohol, will be forwarded to the District through Minert & Associates, Inc. as the representative of the District, and the Medical Review Officer (MRO).

Prior to the District being informed that a prospective or current driver has tested positive for illegal drugs, the driver will be offered an opportunity to personally discuss the positive drug test with the MRO or his representative. The MRO will follow up on such information as is appropriate. Any driver who is taking a prescription drug that may have been the cause of a positive test result will be asked to provide the name of the medication and the identity of the prescribing physician for verification. If this is verified, the driver's test result will be reported negative. If, after consideration of the matter, the MRO finds no reason to doubt the validity of the positive test, that result will be conveyed to the District contact, as well as the identity of the drug.

If the driver cannot be located, the MRO, or his representative, may request that the District contact arrange for the driver to contact the MRO as soon as possible to discuss the results of the positive test. The MRO will communicate a positive result to the District without discussing the result with the driver if the driver expressly declines the opportunity to discuss the results of the test, or the driver is instructed by the District to contact the MRO but fails to do so within 24 hours.

REFUSAL:

A driver operating a commercial vehicle for this District may not refuse to take a drug or alcohol test when requested to do so, consistent with the terms of this policy. Such a refusal will be considered equivalent to testing positive for illegal drugs or alcohol.

A driver will be considered as refusing to test if he/she expressly refuses to take a test when so requested, or otherwise fails to provide an adequate breath or urine sample without a valid medical explanation. Additionally, a driver will be considered as refusing to test if he/she engages in conduct that clearly obstructs the test process.

EFFECTS OF TESTING POSITIVE FOR DRUGS OR ALCOHOL:

Any prospective employee that tests positive for the presence of illegal drugs or alcohol will not be hired. Any current employee that tests positive for the presence of illegal drugs or alcohol will immediately be terminated from employment with the District.

For purposes of this policy, an employee tests positive for alcohol when that employee's blood alcohol concentration (BAC) is .04 or above. If an employee tests between .02 and .039 BAC, that driver will not be allowed to operate a commercial vehicle for this District for 24 hours from the time of the test. A driver that twice tests between .02 and .039 BAC for a year's time will be treated as the equivalent of testing positive for alcohol. This last provision is done as a matter of District policy and is not required by the DOT.

Policy History:

Adopted on: November 9, 1995

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