

Table of Contents

5000 Series - Personnel

	<u>Adopted</u>	<u>Revised</u>	<u>Revised</u>	<u>Revised</u>
5000 Recruitment and Selection of Staff	7/20/87	6/21/93	11/26/01	7/16/12
5001 Hiring of Retired School Employees	10/26/20			
5005 Employment: Requirements	3/17/97	9/23/02	6/14/04	10/26/20
5006 Certification Revocation	7/20/87	6/21/93	11/26/01	10/26/20
5010 Nondiscrimination and Affirmative Action	11/26/01	11/21/11	1/19/17	10/26/20
5011 Sexual Harassment of District Staff Prohibited	1/19/17			
5011P Sexual Harassment of District Staff Prohibited	1/19/17			
5020 Collective Bargaining	7/20/87	6/21/93	11/26/01	10/26/20
5021 Conflicts Between Policy/Bargaining Agreements	10/26/20			
5050 Contracts	10/26/20			
5161 Civility in the Workplace	9/16/19			
5201 Drug-Free Schools, Community and Workplace	12/10/90	6/21/93	11/26/01	10/26/20
5202 Fed. Highway Admin. Drug/Alcohol Testing	12/18/95	11/26/01	9/23/02	10/26/20
5202P Fed. Highway Admin. Drug/Alcohol Testing	10/26/20			
5203 Staff Assistance Program	10/26/20			
5222 Job Sharing Staff Members	12/18/96	11/26/01	10/26/20	
5222P Job Sharing Staff Members	5/22/00	9/23/02		
5230 Job Descriptions/Responsibilities	7/27/87	6/21/93	11/26/01	
5240 Evaluation of Staff	7/20/87	6/21/93	11/26/01	10/26/20
5251 Conflicts of Interest	9/23/02	10/26/20		
5252 Staff Participation in Political Activities	10/26/20			
5253 Maintaining Professional Staff/Student Boundaries	9/16/19			
52531 Maintaining Professional Staff/Student Boundaries	9/16/19			
5253P Maintaining Professional Staff/Student Boundaries	9/16/19			
5260 Personnel Records	9/23/02	10/26/20		
5270 Resolution of Staff Complaints	9/23/02	10/26/20		
5270P Resolution of Staff Complaints	10/26/20			
5271 Reporting Improper Governmental Action	3/15/93	1/18/95	11/26/01	10/26/20

5271P	Reporting Improper Governmental Action	10/26/20			
5280	Termination of Employment	7/20/87	11/26/01	9/23/02	10/26/20
5315	Garnishment and Personal Care Problems	10/26/20			
5315P	Garnishment and Personal Care Problems	10/26/20			
5400	Personnel Leaves	6/21/93	11/26/01	10/26/20	
5403	Family Emergency Leaves	6/21/93	11/26/01	2/18/03	10/26/20
5404	Family, Medical, and Maternity Leave	10/26/20			
5406	Leave Sharing	4/21/97	11/26/01	10/26/20	
5406P	Leave Sharing	5/19/97	9/23/02	10/26/20	
5407	Military Leave	10/26/20			
5407P	Military Leave	10/26/20			
5408	Jury Duty and Subpoena Leave	10/26/20			
5409	Unpaid Holidays for Reason of Faith/Conscience	10/26/20			
5410	Holidays	10/26/20			
5411	Staff Vacations	10/26/20			
5520	Staff Development	10/15/90	6/21/93	11/26/01	10/26/20
5521	Teacher Assistance Program	10/26/20			
5525	Professional/Civic/Service Org. Memberships	7/22/93	11/26/01	1/20/09	10/26/20
5610	Substitute Employment	7/20/87	11/26/01	9/23/02	10/26/20
5620	Employee Dress Code	9/17/12	10/26/20		
5630	Volunteers	8/20/12	10/26/20		
5630P	Volunteers	8/20/12			

Recruitment and Selection of Staff

Responsible Governance: Staff are recruited and selected to assure that students grow and meet their full potential in district programs. Staff are highly effective, and have the necessary skills and experience to meet the learning needs of all students. The district works with teacher preparation programs, communicating the teaching skills, competencies, and experiences it considers of primary importance in its staff, and providing field experiences designed to train teachers to be able to improve student learning. Decisions about hiring, assigning, or transferring staff are based on maximizing the effectiveness of that staff member within the district's programs. Part-time employees do not have preferential or seniority rights to move into any open full-time position openings but are encouraged to apply.

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

High Expectations for Student Learning: Positions are created within budget parameters, and legal requirements. Part of the district's strategic and short-term planning processes analyze current and projected staffing requirements. The filling of individual positions is done with consideration to salary issues, budget parameters, and legal requirements.

The superintendent regularly evaluates the effectiveness of the district's staff recruitment and selection processes, and reports the findings and recommendations from the evaluation to the board.

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

Cross References:

[5005](#) Employment: Disclosures, Certification Requirements, Assurances and
[5610](#) Substitute Employment

Legal References:

[RCW 28A.400.300](#) Hiring and discharging employees--Leaves for employees--
Seniority and leave benefits, retention upon transfers between



**Policy No. 5000
Personnel**

Adoption Date: 7/10/87
Revised: 6/21/93; 11/26/01; 7/16/12

schools.

- [RCW 28A.405.210](#) Conditions and contracts of employment--Determination of probable cause for non-renewal of contracts-- Notice--Opportunity for hearing
- [RCW 43.43.830](#) Background checks -- Access to children or vulnerable persons
- [RCW 43.43.832](#) Background checks--Disclosure of child abuse
- [WAC 162-12](#) Pre-employment Inquiry Guide (Human Rights Commission)
AGO 62155.00 - No. 155 - 1961-62 Expenses of Applicants
8 USC 1324a and 1324b (IRCA) Immigration Reform and Control Act of 1986.

[RCW 49.44.200 Personal social networking accounts – Restrictions on employer access - Definitions](#)

[RCW 49.44.205 Violations of RCW 49.44.200 – Civil action - Remedies](#)

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

[Title 8 USC, Ch. 12 §1324a and §1324b](#)

[WAC 392-190-0591 Public school employment and contract practices - Nondiscrimination](#)

Management Resources

2014 - December Issue

2012 - February Issue

Classification: Encouraged

Hiring of Retired School Employees

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

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

All retirees of TRS, SERS or PERS may work an annual threshold of eight hundred sixty-seven (867) hours per year while receiving retirement benefits. The annual threshold for TRS Plan 1 retirees is calculated per fiscal year. All other plans are calculated per calendar year. Qualified hours are determined by whether the retiree works in an eligible position as defined by RCW 41.32.010(48)(a) or by the Department of Retirement Systems (DRS).

District Responsibilities

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

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

Retired Employee Responsibilities

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

- A. Retired applicants will disclose to the district whether they are retired from a Washington state retirement plan.

- B. Employees must satisfy the DRS requirement for separation and retirement from service prior to accepting a retire/rehire position with the district.
- C. Retirees are subject to the same collective bargaining membership as other one-year temporary employees.
- D. Retirees are responsible for tracking service hours during post-retirement employment among multiple employers.

Cross References: 5610 - Substitute Employment
 5612 - Temporary Administrators
 5050 - Contracts

Legal References: Chapter 41.32 RCW Teachers' retirement
 Chapter 41.40 RCW Washington public employees' retirement
 system

Management Resources: 2016 - July Issue
 2011 - August Issue
 Policy News, June 2007 Revisions to Retire/Rehire Law

Adoption Date:10/26/20

Classification: **Essential**

Revised Dates:



Employment and Volunteers: Disclosures Certification Requirements, Assurances and Approvals

Federal Immigration Law Compliance for Staff

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

Child Support Reporting for Staff

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

Sexual Misconduct Release Form for Staff

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

Disclosure for Staff and Volunteers

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

- A. Convicted of any crime against persons;
- B. Found in any dependency action under RCW 13.34.030(2)(b) to have sexually assaulted or exploited any minor or to have physically abused any minor;
- C. Found by a court in a domestic relations proceeding under Title 26 RCW to have sexually abused or exploited any minor or to have



**Policy No. 5005
Personnel**

Adoption Date: 7/20/87
Revised: 3/17/97; 11/26/01
Revised: 9/23/02; 6/14/04
Revised: 10/26/20

- physically abused any minor;
- D. Found in any disciplinary board final decision to have sexually abused or exploited any minor or to have physically abused any minor: or
- E. Convicted of a crime related to drugs: manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance.

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

Background Check for Staff and Volunteers

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

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

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

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

Record Check Data Base Access Designee

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



**Policy No. 5005
Personnel**

Adoption Date: 7/20/87
Revised: 3/17/97; 11/26/01
Revised: 9/23/02; 6/14/04
Revised: 10/26/20

record check database.

Certification Requirements

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

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

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

Board Approval

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

Cross References:

- 1610, Conflicts of Interest
- 5252 - Staff Participation in Political Activities
- 5006, Certification Revocation
- 5281, Disciplinary Action and Discharge
- 5520, Staff Development
- 5610, Substitute Employment
- 6530, Insurance

Legal References:



**Policy No. 5005
Personnel**

Adoption Date: 7/20/87
Revised: 3/17/97; 11/26/01
Revised: 9/23/02; 6/14/04
Revised: 10/26/20

[RCW 9.96A.020 Employment, occupational licensing by public entity — Prior felony conviction no disqualification — Exceptions](#)

RCW 28A.320.155 Criminal history record information — School volunteers
RCW 28A.400.300 Hiring and discharging employees — Leaves for employees — Seniority and leave benefits, retention upon transfers between schools

[RCW 28A.400.301 Information on past sexual misconduct - Requirement for applicants - Limitation on contracts and agreements - Employee right to review personnel file](#)

RCW 28A.400.303 Record checks for employees
RCW 28A.405.060 Course of study and regulations — enforcement — Withholding salary warrant for failure
RCW 28A.405.210 Conditions and contracts of employment — Determination of probable cause for non-renewal of contracts — Notice — Opportunity for hearing
RCW 28A.410.010 Certification — Background check
RCW 9.96A.020 Employment, occupational licensing by public entity — Prior felony conviction no disqualification — Exceptions

[RCW 28A.660.035 Partnership grant programs - Priority assistance in advancing cultural competency skills](#)

RCW 43.43.830-40 Washington State Criminal Code Records
RCW 50.44.050 Benefits Payable, Terms and Conditions
RCW 50.44.053 Definition of “reasonable assurance”
P.L. 99-603, Immigration Reform and Control Act of 1986 (IRCA)
Chapter 162-12 WAC Preemployment Inquiry Guide (Human Rights Commission)
WAC 180-16-220 Supplemental Program Requirements
Ch. 180-79A WAC Standards for Teacher, Administrator and Educational Staff Associate Certification
WAC 180-82-105 Assignment of classroom teachers within districts
WAC 180-82-110 Exceptions to classroom teacher assignment policy
Ch. 180-85 WAC, Continuing Education
WAC 392-300-050 Access to record check data base
WAC 392-300-055 Prohibition of redissemination of fingerprint record information by education service districts or school districts
WAC 392-300-060 Protection of fingerprint record information by education service district and school districts
WAC 446-20-280 Employment — Conviction Records

Management Resources:

2017 - July Issue

2010 - October Issue

Policy News, October 2005 Public Disclosure

Policy News, October 2005 Sex Offender Reporting Requirements

Policy News, April 2004 School Employee Sexual Misconduct

Policy News, October 2001 Updates from the State Board of Education



Policy No. 5005
Personnel

Adoption Date: 7/20/87
Revised: 3/17/97; 11/26/01
Revised: 9/23/02; 6/14/04
Revised: 10/26/20

Policy News, August 1998 District Must Report New Hires
Policy News, February 1999 Local Boards Decide Endorsement Waivers
Policy News, June 1999 School Safety Bills Impact Policy

Classification: Essential



Certification Revocation

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

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

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

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

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

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



**Policy No. 5006
Personnel**

Adoption Date: 7/20/87
Revised: 6/21/93; 11/26/01
Revised: 10/26/20

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

END OF POLICY

Cross References:

[5005](#) Employment: Disclosures, Certification Requirements, Assurances and Approval)
[5281](#) Disciplinary Action and Discharge)

Legal References:

[RCW 28A.400.320](#) Mandatory termination of classified employees
[RCW 28A.405.470](#) Mandatory termination of certified employees
[RCW 28A.410.090](#) Revocation of Authority teach--Method--Grounds
[RCW 28A.410.100](#) Revocation of authority to teach--Hearings and appeals
[RCW 28A.410.110](#) Reinstatement prohibited for crimes
[WAC 180-79A](#) Certification for School Personnel
[WAC 180-86](#) Professional Certification Proceedings
[WAC 180-87](#) Acts of Unprofessional Conduct
[WAC 181-79A-155](#) Good Moral Character and Personal Fitness — Necessary supporting evidence applicants

Classification: Encouraged



Nondiscrimination and Affirmative Action

Nondiscrimination

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

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

Affirmative Action

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

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

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

Employment of Persons with Disabilities

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

- A. No qualified person with disabilities will, solely by reason of a disability, be subjected to discrimination and the district will not limit, segregate or classify any applicants for employment or any staff member in any way that adversely affects his/her opportunities or status because of a disability. This prohibition



**Policy No. 5010
Personnel**

Adoption Date: 7/20/87
Revised: 6/21/93; 11/26/01
Revised: 9/23/02; 11/21/11
Revised: 1/19/17; 10/26/20

applies to all aspects of employment from recruitment to promotions, and includes fringe benefits and other elements of compensation.

B. The district will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled applicant or staff member unless it is clear that an accommodation would impose an undue hardship on the operation of the district program. Such reasonable accommodations may include:

1. Making facilities used by staff readily accessible and usable by persons with disabilities; and
2. Job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters and other similar actions.

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

C. The district will not make use of any employment test or criteria that screens out persons with disabilities unless:

1. The test or criteria is clearly and specifically job-related; and
2. Alternative tests or criteria that do not screen out persons with disabilities are available.

D. While the district may not make pre-employment inquiry as to whether an applicant has a disability or as to the nature and severity of any such disability, it may inquire into an applicant's ability to perform job-related functions.

E. Any staff member who believes that there has been a violation of this policy or the law prohibiting discrimination because of a disability may initiate a grievance through the procedures for staff complaints.

Nondiscrimination for Military Service

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

END OF POLICY

References: Cross 2030 - Service Animals in Schools
5270 - Resolution of Staff Complaints
5407 - Military Leave



Policy No. 5010
Personnel

Adoption Date: 7/20/87
Revised:6/21/93; 11/26/01
Revised: 9/23/02; 11/21/11
Revised: 1/19/17; 10/26/20

Legal References: RCW 28A.400.310 Law against discrimination applicable to districts' employment practices
RCW 28A.640.020 Regulations, guidelines to eliminate discrimination — Scope — Sexual harassment policies
RCW 28A.642 Discrimination prohibition
RCW 49.60 Discrimination — Human rights commission
RCW 49.60.030 Freedom from discrimination — Declaration of civil rights
Vietnam Era Veterans Readjustment Act of 1974 (VEVRAA)
RCW 49.60.180 Unfair practices of employers
RCW 49.60.400 Discrimination, preferential treatment prohibited
RCW 73.16 Employment and Reemployment
WAC 392-190 Equal Education Opportunity – Unlawful Discrimination Prohibited
WAC 392-190-0592 Public school employment — Affirmative action program
42 USC 2000e1 – 2000e10 Title VII of the Civil Rights Act of 1964
20 USC 1681 - 1688 Title IX Educational Amendments of 1972
42 USC 12101 – 12213 Americans with Disabilities Act
8 USC 1324 (IRCA) Immigration Reform and Control Act of 1986
38 USC 4301-4333 Uniformed Services Employment and Reemployment Rights Act
29 USC 794 Vocational Rehabilitation Act of 1973
34 CFR 104 Nondiscrimination on the basis of handicap in Programs or activities receiving federal financial assistance
38 USC 4212 Vietnam Era Veterans Readjustment Act of 1974 (VEVRAA)

Management Resources:

2018 - May Policy Issue
2017 - April Issue
2014 - December Issue
2013 - June Issue
2011 - June Issue
2011 - February Issue
Policy News, August 2007 Washington's Law Against Discrimination
Policy News, June 2001 State Updates Military Leave Rights

Classification: Encouraged



Sexual Harassment of District Staff Prohibited

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

Definitions

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

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

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communications that interferes with an individual's employment performance or creates an intimidation, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied obtaining work opportunity or other benefit;
- sexual demands where submission or rejection is a factor in a work or other school-related decision affecting an individual.

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

Investigation and Response

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



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

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

Retaliation and False Allegations

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

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

Staff Responsibilities

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

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

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

Notice and Training

The superintendent will develop procedures to provide information and education to district staff, parents and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum, sexual



**Policy No. 5011
Personnel**

Adoption Date: 1/19/17

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

Policy Review

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

END OF POLICY

- | | |
|--------------------------|--|
| Cross
References: | 3205 - Sexual Harassment of Students Prohibited
3207 - Prohibition of Harassment, Intimidation and Bullying
3210 - Nondiscrimination
3211 - Transgender Students
3240 - Student Conduct Expectations and Reasonable Sanctions
3421 - Child Abuse, Neglect, and Exploitation Prevention
5010 - Nondiscrimination and Affirmative Action |
| Legal
References: | RCW 28A.640.020 Regulations, guidelines to eliminate discrimination –
Scope -Sexual harassment policies
WAC 392-190-058 Sexual harassment
20 U.S.C. 1681-1688 |
| Management
Resources: | 2015 - July Policy Alert
2014 - December Issue
2010 - October Issue |

Classification: Essential



Sexual Harassment of District Staff Prohibited

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

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

Notice

Information about the district's sexual harassment policy will be easily understandable and conspicuously posted throughout each school building, provided to each employee and reproduced in each staff, volunteer and parent handbook. In addition to the posting and reproduction of this procedure and Policy 5011, the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at 604 E. Brooks Street, Goldendale WA 98620.

Staff Responsibilities

In the event of an alleged sexual assault, the school principal will immediately inform: 1) the Title IX/Civil Rights Compliance Coordinator so that the district can appropriately respond to the incident consistent with its own grievance procedures; and 2) law enforcement. The principal will notify the targeted district staff person of their right to file a criminal complaint and a sexual harassment complaint simultaneously.

Confidentiality

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

If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the district not investigate or seek action against the



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

Retaliation

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

Informal Complaint Process

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will always notify complainants of their right to file a formal complaint and the process for same. Staff will also direct potential complainants to John Westerman, Title IX, ADA/504, Civil Rights Compliance Officer (Students), Harassment, Intimidation or Bullying (HIB Compliance Officer, 525 Simcoe Drive, Goldendale WA, or phone (509) 773-5846 or fax (509) 773-6900 or email jwesterman@gsd404.org. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

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

Informal remedies may include:

- An opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the



- alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant.
- Developing a safety plan;
- Separating staff person; or
- Providing staff and/or student training.

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

Formal Complaint Process

Level One – Complaint to District

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

Filing of Complaint

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



John Westerman, Title IX, ADA/504, Civil Rights Compliance Officer (Students), Harassment, Intimidation or Bullying (HIB Compliance Officer, 525 Simcoe Drive, Goldendale WA, or phone (509) 773-5846 or fax (509) 773- 6900 or email jwesterman@gsd404.org. Any district employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

Investigation and Response

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

Superintendent Response

- The superintendent will respond in writing to the complainant and the alleged perpetrator within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.
- The response of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed ; 3) if sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; 4) notice of the complainant's right to appeal to the school board and the



necessary filing information; and 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and other support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).

- The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964. If the complaint alleges discriminatory harassment by a named party or parties, the coordinator will provide the accused party or parties with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
- Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.
- The district will inform the complainant how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

Level Two -Appeal to

Board of Directors

Notice of Appeal and

Hearing

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



the board deems relevant and material.

Decision

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

Level Three - Complaint to the

Superintendent of Public Instruction Filing of

Complaint

- If a complainant disagrees with the decision of the board of directors, or if the district fails to comply with this procedure, the complainant may file a complaint with the Superintendent of Public Instruction.
- A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the board of directors' decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
- A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-sexual harassment laws; 2) The name and contact information, including address, of the complainant; 3) The name and address of the district subject to the complaint; 4) A copy of the district's complaint and appeal decision, if any; and 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.

Investigation, Determination and Corrective Action

- Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues



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

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

Level Four - Administrative Hearing

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

Other Complaint Options

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

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

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

Washington State Human Rights Commission (WSHRC)

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

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

Mediation



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

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

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

- 1) Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or
- 2) Have a personal or professional conflict of interest.

A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

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

Training and Orientation

A fixed component of all district orientation sessions for staff, students and regular volunteers will introduce the elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment.

Staff will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure.

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

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



Collective Bargaining

The board encourages and promotes a good and fair working relationship among the staff. The board recognizes the right of staff to join labor organizations of their own choosing and to be represented by such organizations in the negotiations of such matters and according to such procedures as may be required by law or agreement of the parties.

The board will engage in collective bargaining with the properly designated bargaining units and will abide by collective bargaining agreements reached with such properly designated bargaining units.

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

END OF POLICY

Cross Reference:

[5021](#) Applicability of Personnel Policies

Legal References:

[RCW 41.56.060](#) Determination of bargaining unit--Bargaining representative

[RCW 41.59.070](#) Election to ascertain exclusive bargaining representative, when--Run off election-- De-certification election

Classification: Discretionary

Conflicts Between Policy and Bargaining Agreements

Except where expressly provided to the contrary, personnel policies apply to the staff of the district. However, where there is a conflict between the terms of a collective bargaining agreement and the district's policy, the law provides that the terms of the collective bargaining agreement will prevail in regard to the staff covered by that agreement.

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

Cross References: 5020 - Collective Bargaining

Legal References: RCW 41.59.910 Construction of chapter — Effect on existing agreements — Collective bargaining agreement prevails where conflict

Adoption Date: 10/26/20

Classification: **Discretionary**

Revised Dates:

Contracts

A. Certificated Staff Contracts

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

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

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

B. Classified Staff Contracts

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

C. Supplemental Contracts

The district may issue supplemental contracts, which are not subject to the continuing contract statute, for services to be rendered in addition to a staff member's normal "full-time" assignment. Supplemental contracts will not exceed one year and, if not renewed, will not constitute an adverse change in contract status.

D. Consultants

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

E. Paraeducators

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

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

4. Completed a registered apprenticeship program.

Cross References: 5280 - Separation from Employment

Legal References: RCW 28A.330.100 Additional powers of the board
RCW 28A.400.300 Hiring and discharging of employees —
Written leave policies — Seniority and leave benefits of
employees transferring between school districts and other
educational employers
RCW 28A.400.315 Employment contracts
RCW 28A.405.210 Conditions and contracts of employment
— Determination of probable cause for nonrenewal of
contracts — Nonrenewal due to enrollment decline or
revenue loss — Notice — Opportunity for hearing
RCW 28A.405.220 Conditions and contracts of employment
— Nonrenewal of provisional employees — Notice - Procedure
RCW 28A.405.240 Conditions and contracts of employment -
Supplemental contracts, when — Continuing contract
provisions not applicable to
RCW 28A.405.900 Certain certificated employees exempt
from chapter provisions
20 U.S.C. 6319 Qualifications for teachers and
paraprofessionals

Management Resources: 2010 - October Issue
Policy News, August 2003 No Child Left Behind Update
Policy News, August 2001 Legislature Authorizes "Retire-
Rehire"

Adoption Date: 10/26/20
Classification: **Essential**
Revised Dates:

Personnel	Policy	5161
Goldendale School District No. 404	Adoption Date: Revised:	9/16/19
Civility in the Workplace		

The Board of Directors, recognizes the absolute need for an educational environment that is safe, secure and challenging. The Board believes that to create this type of learning environment, all must behave in a safe, civil, respectful and orderly manner. Our District believes in going beyond what is required by law and expects all stakeholders to treat each other in a manner in which they would like to be treated and to give to others the respect that is due to every individual whether it is a fellow employee, administrator, parent, board member, community member or visitor to our premises. Therefore, Goldendale School District prohibits any behavior that is discourteous or demeaning to another. Uncivil conduct like other forms of disruptive behavior may interfere with an employee's ability to accomplish their work and a school's ability to educate its students.

The Board commits the district in its entirety to the core value of mutual respect for each person regardless of individual differences or characteristics. The district expects this value to be manifested in the daily behavior of all constituents. When differences exist, stakeholders will use clear, concise and courteous communication with the goal of arriving at a goodwill solution. Uncivil conduct on district property or at district-sponsored activities by school directors, staff, parents, volunteers, contractors or visitors is prohibited.

Personal Conduct

Employees should be aware that their personal conduct is important at any time while they are on District premises, including attending of afterschool events and off campus field trips. Goldendale School District expects all employees to observe certain standards of behavior while at work and at events. Employees are responsible for ensuring that their conduct is respectful and not offensive to anyone. These standards are not intended to restrict employees, but to ensure a consistent application of the policies and procedures for all employees.

These standards include but are not limited to:

- Maintaining satisfactory attendance and punctuality;
- Performing duties and operating equipment with care to protect the safety of employees, coworkers, and the public;
- Carrying out assigned duties and following reasonable instructions or requests from supervisors;
- Refraining from any manner or form of discrimination and/or harassment, regardless of whether it is sexual, racial, religious, or related to another's gender, age, sexual, or disability;
- Using District property or that of another employee in an appropriate manner;
- In addition to the above standards, as an employee of GSD, please be aware that your conduct on and off the clock affects others' perception of our District.
- Failure to observe the above standards could lead to corrective action up to and including termination.

In support of this policy, the Board expects its members and all stakeholders to:

- Treat each other and students with dignity and respect;
- Exercise reasonable, good judgment in handling interpersonal disputes;
- Exercise respect, courtesy, and concern for the dignity and cultural background of others;
- Refrain from use of abusive language;
- Model respectful problem-solving;
- Reduce actions or behaviors which might provoke fear, anger, frustration and alienation;
- Use clear, concise, and courteous oral and written communication to arrive at goodwill solutions;
- Extend common courtesy to others such as saying please and thank you;
- Proactive civility in all conversations and behavior;
- Be respectful of others even when in a disagreement;
- Address incivility when it is observed;
- Seek to understand others' points of view and cultural perceptions.

Disrespectful or Uncivil Behavior may include, but not limited to the following:

- Use of vulgar, obscene or profane gestures or words;
- Name calling or nicknames that may be offensive;
- Refusing to communicate or speak with another individual;
- Repeated negative comments about others either orally or in writing;
- Using insulting or disrespectful nonverbal behaviors toward or in connection with another;
- Taunting, jeering, or inciting others to taunt or jeer an individual;
- Raising one's voice at another individual, and/or repeatedly interrupting another individual who is speaking;
- Using personal epithets or slurs,
- Gossiping about another individual;
- Engaging in conduct unbecoming an employee of GSD and/or conduct that appears to reflect badly upon the organization.
- Gesturing or behaving in a manner that puts another in fear for his/her personal safety, including invading the personal space of an individual after being directed to move away, physically blocking an individual's exit from a room or location, or remaining in a classroom or school area after a teacher or administrator in authority has directed one to leave or other similar disruptive conduct.

"Uncivil conduct" does not include the expression of controversial or differing viewpoints that may be offensive to some persons, so long as (1) the ideas are presented in a respectful manner and at a time and place that are appropriate, and (2) such expression does not materially disrupt, and may not be reasonably subordinate interactions, including but not limited to corrective actions, discipline, unsatisfactory evaluations, plans for improvement, or probation.

Addressing Uncivil Conduct

Goldendale School District expects that everyone will act responsibly to establish a pleasant and friendly work environment. Stakeholders are expected to address uncivil conduct by:

- Calmly and politely caution or warn any speaker who is engaged in uncivil conduct. If the conduct does not cease, politely end the conversation;

- Attempt to resolve differences with another employee first in a private conversation. If that is not feasible or successful, request an appropriate administrator to conduct a private conference with all parties of concern;
- Resolve personal complaints or grievances with a supervisor's decision or action by requesting a problem-solving conference with the supervisor or with the administrator's supervisor. An impartial third-party district employee or union representative may attend the problem-solving conference if requested;
- Persons who observe or experience uncivil behavior have an obligation to intervene, reflect back to the offender on the impact of that behavior, or report the uncivil behavior to a supervisor;
- Supervisors have an obligation to address reports of uncivil behavior.

Employees who engage in uncivil behavior may be subject to corrective action or discipline. Retaliation for reporting allegations will result in discipline.

Legal References:

Management Resources:

Adoption Date: 9/16/19

Classification:

Revised Dates:



Policy No. 5201

Personnel

Adoption Date: 12/10/90

Revised: 6/21/93

Revised: 11/26/01

Revised: 10/26/20

Drug Free Schools, Community, and Workplace

The board has an obligation to staff, students and citizens to take reasonable steps to assure safety in the workplace and to provide safety and high quality performance for the students that the staff serves.

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

Prohibited Behavior

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

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

Notification Requirements

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

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

Disciplinary Action

Each employee will be notified of the district's policy and procedures regarding employee drug activity at work. Any staff member who violates any aspect of this policy may be subject



Policy No. 5201

Personnel

Adoption Date: 12/10/90

Revised: 6/21/93

Revised: 11/26/01

Revised: 10/26/20

to disciplinary action, which may include termination. As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the board, at the employee's expense. Nothing in this policy will be construed to guarantee reinstatement of any employee who violates this policy, nor does the school district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.

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

Cross References:

[4215 Use of Tobacco, Nicotine Products and Delivery Devices](#)

[5280 Separation from Employment](#)

[3423 - Parental Administration of Marijuana for Medical Purposes](#)

Legal References:

[41 U.S.C. § 8103 Drug Free Workplace Requirements for Federal Grant Recipients](#)

[21 U.S.C. § 812 Controlled Substance Act](#)

[20 U.S.C 7101-71187 Safe and Drug-Free Schools and Communities Act \[as amended by Title IV – 21st Century Schools\]](#)

[RCW 69.50.435](#) Violations committed on school bus or in or near school grounds or school bus route stop

Management Resources:

[2019 - July Policy Issue](#)

[2015 - December Issue](#)

[2013 - February Issue](#)

[2011 - December Issue](#)

Policy News, February 1999 Bus drivers still tested for marijuana

Classification: Essential



Federal Motor Carrier Safety Administration Mandated Drug and Alcohol Testing Program

The superintendent will establish programs and procedures as mandated by with the Federal Motor Carrier Safety Administration (FMCSA) controlled substances, including marijuana (cannabis), and alcohol testing rules.

Prohibited alcohol and controlled substance-related conduct: The following alcohol and controlled substance-related activities are prohibited by the district for drivers required to possess a commercial driver's license (CDL) as part of their job responsibilities.

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

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

Violations of this policy will result in appropriate corrective action ranging from removal from the performance of safety-sensitive functions up to and including discharge.

Cross References:

- [5201 Drug-Free Schools, Community and Workplace](#)
- [5281 Disciplinary Action and Discharge](#)

Legal Reference:

- 49 CFR && 382.101-382.605
- 49 CRF & 40

Management Resources:

- [2015 - October Policy Issue](#)
- [2012 - April Issue](#)

[Policy News, December 2001 Federal Government Amends Bus Driver Drug Testing Rules](#)
[Policy News, February 1999 Bus drivers still tested for marijuana](#)

Procedure - Federal Motor Carrier Safety Administration Mandated Drug and Alcohol Testing Program

Testing Requirements

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

1. **Pre-employment testing:** Prior to the first time a driver performs a safety-sensitive function for the district, the driver will undergo testing for controlled substances. This testing requirement may be waived under FMCSA rules for CDL drivers recently employed elsewhere for whom testing records are available from their previous employers.
2. **Post-accident testing:** Each surviving driver of an accident, as defined by the FMCSA, will be tested for alcohol and controlled substances.
3. **Random testing:** Annually the district will arrange for the unannounced random alcohol and controlled substances testing of its drivers. Fifty percent (50%) of the district's drivers must be randomly selected for controlled substances testing each year, and ten percent (10%) of its drivers for alcohol testing (or whatever level of testing is required in a given year by the FMCSA). Alcohol testing under this program will take place just prior to, during or immediately after the driver engages in a safety-sensitive function for the district.
4. **Reasonable suspicion testing:** A driver must submit to alcohol or controlled substance testing whenever a trained supervisor has a reasonable suspicion of alcohol misuse or controlled substance use based on specific, contemporaneous and articulable observations concerning the appearance, behavior, speech or bodily odors of the driver. Observations related to using alcohol must be made just prior to, during or immediately after the driver engages in a safety-sensitive function for the district, and the alcohol test must be given within eight hours following the determination of reasonable suspicion.
5. **Return-to-duty testing:** If a driver is to be returned to performing safety-sensitive functions for the district after violating this policy or the federal regulations, the driver will be evaluated by a substance abuse professional (SAP) who will determine what assistance, if any, the driver needs in resolving problems associated with alcohol misuse and use of controlled substances. SAPs must require education and/or treatment in all such cases. If a driver is to be returned to performing safety-sensitive functions for the district following a violation of this policy or the federal regulations, the driver will first be evaluated by a SAP to determine that the driver has properly followed any rehabilitation proscribed. Before a driver could be returned to performing safety-sensitive functions for the district following a violation of this policy and/or the federal regulations, the driver will undergo a return-to-duty alcohol and/or controlled substances test resulting in an alcohol concentration below 0.02 alcohol concentration and/or a negative controlled substances test. The District retains the right to solely determine whether an employee who has violated this policy will be returned to performing safety sensitive functions.
6. **Follow-up testing:** Any driver who continues performing safety-sensitive functions for the district, following a determination of the alcohol or controlled substances prohibited conduct, will be subject to a follow-up testing.

Record Retention And Reporting

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

Education, Training And Referral Services

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

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

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

The employed driver who violates this policy or the federal regulations will be informed of resources available for evaluation and resolving problems associated with the misuse of alcohol and use of controlled substances, including the names, addresses, and telephone numbers of SAPs and counseling and treatment programs. Costs incurred by the driver for evaluation and/or rehabilitation are the driver's responsibility (other policies may apply).

Adoption Date:

10/26/20

Classification:

Revised Dates:

© 2020-2025 Washington State School Directors' Association. All rights reserved.

Staff Assistance Program

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

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

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

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

Cross References: 5521 - Teacher Assistance Program

Adoption Date: 10/26/20

Classification: **Discretionary**

Revised Dates:



Job Sharing Staff Members

A job-sharing assignment is the shared performance of the duties of one full-time, regular position by (2) two employees.

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

The district reserves the authority to:

- A. Determine the number of job-sharing positions, if any, within the district;
- B. Require the employees to develop a written plan for sharing the performance of the position and to secure the written approval of their supervisor;
- C. Dissolve any job-sharing assignment, or change a job-sharing position to a full time position held by one employee, at the sole discretion of the district in accordance with applicable provisions of collective bargaining agreements;
- D. Consider any request to create a job-sharing position in a position currently held by one employee, or vice-versa;
- E. Require job-sharing staff members to work full-time in the event of the termination or resignation of one of the job-sharing staff members, at the sole discretion of the district.

Employees sharing a position will sign a job-sharing agreement annually, subject to the approval of the superintendent/designee. The agreement will identify contingencies which may arise during the course of employment including, but not limited to, absence or resignation of one of the job-sharing employees, computation of employee benefits, and responsibility for participation in staff meetings and committees of the position to be shared.

Cross References:

[5000 Recruitment and Selection of Staff](#)

[5005 Employment and Volunteers: Disclosures, Certification Requirements, Assurances and Approval](#)

Legal References:

[RCW 28A.400.300](#) Hiring and discharging employees--Leaves for employees--Seniority and leave benefits, retention upon transfers between schools

[RCW 28A.405.070](#) Job Sharing

Management Resources

[2015 - October Policy Issue](#)

Classification: Essential

Job Sharing Guidelines

1. What is the difference between a part-time position, a part-year position and a job share position?	A part-time position is funded as a fraction of a full-time single position, for example, a .5 FTE. A part-year position is a position that is for less than 180 days and, therefore, is reported as a fraction of an FTE, i.e., 160 divided by 180 would be a .89 FTE. A job share exists when two people share the responsibilities on one full-time position at their request.
2. What is the difference in benefits between job share and part-time positions?	Part-time employees will receive a prorated allocation as agreed upon by the District and the bargaining unit. Job share staff will be eligible to share 1 benefit allocation on a prorated basis. Full-year employees at .5 FTE or above are eligible for full TR1, except where staff members are job sharing. In job sharing situations, the two staff members will each receive their respective FTE times the amount for which they would qualify if in a full-time position. Part-time staff members and staff members who are less than .5 FTE will be eligible for a prorated share of TR1 based on their FTE.
3. What about planning/release, the 181st day and staff meetings?	Planning and release days are prorated based on the job share FTE. Job share partners are each eligible for the 181st day. One member of the team must attend building planning days and staff meetings. Both members are responsible for keeping abreast of building discussions, issues and concern.
4. Is the District obligated to share a position?	The District is obligated to consider job sharing when there is an open position.
5. How does one get permission to job share?	Job Share Application forms are available in Personnel. One application is to be completed by each team. All applications for reassignment in a building must be submitted in time to be approved no later than May 1 of the preceding school year. Applications for open positions will follow the same timelines required for transfers outlined in Article 10, Section 4, of the Collective Bargaining Agreement.
6. What must be done before a job share request is approved?	<p>a) Individuals interested in being reassigned to a job sharing position must identify a job share partner within the current ranks of provisional and continuing District staff who is acceptable to the building principal. If no job share partner is found in the ranks of current employees, the job share is posted.</p> <p>b) The potential job share team must then identify the position they wish to share.</p> <p>c) The Job Share Application form must be completed by the team requesting the job share, approved or disapproved by the principal and returned to the Personnel Office for review.</p>
7. Can a job share team work alternating weeks or months?	No.
8. Who authorizes a job share?	The Director of Human Resources will authorize a job share after reviewing the recommendation of the building principal.
9. What will be the basis for consideration of job share requests?	The consideration will be based on administrative and program needs. The district will maintain a limited number of job share opportunities per building depending on the number of administrators, staff and special programs. If a job share application is rejected, a written rationale for the denial will be provided if requested.
10. What happens to an individual's contract when job sharing?	The individual retains the present year FTE and will be placed on leave for the portion of the FTE being shared, e.g. 1.0 FTE equals .5 leave and .5 assigned.
11. How long is a position job shared?	One school year. Job share teams will have the opportunity to reapply in the following spring.

PAGE 2

PROCEDURE 5222

12. Can a job share be started mid-year?	The creation of job shares mid-year would be most unusual. All requests to be reassigned to a job share must be submitted no later than May 1 of the preceding school year.
13. Can job shared teams trade scheduled days?	No.
14. Can one team member substitute for another team member?	Yes. The request must be made through the Substitute Office and the pay for substituting will be at the regular substitute rate.
15. To whom is the job share position assigned?	a) Where a position already belongs to one team member, it remains that member's position when the job share team dissolves. b) Where a position is "open" it shall be assigned to the senior member of the team (by building and then by District seniority).
16. What happens when both members want to end the job share?	The person whose position was shared retains the position unless staff reduction provisions of the contract have been implemented. The other member may remain in the building if there is a position available; otherwise, that member must transfer. If one or both members of a team wish to job share with new partners, the application process must start over again.
17. Is special consideration for continued job sharing given to anyone?	Yes. Special consideration is given to job share teams that were in existence prior to the 1993-94 school year because at the time of the creation of those teams, the guidelines were not in place.



Job Description/Responsibilities

1. Duties of Classified and Certificated Staff

Staff are subject to the policies of the district, provisions of staff agreements in effect, state board of education regulations, state superintendent of public instruction regulations and other applicable state and federal law. Employees shall be directly responsible to the principal at their respective building for implementing the policies, instructions, rules and regulations of each principal, the superintendent and the board of directors. It shall be the duty of each employee to know the rules, policies and regulations of the school and the school district.

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

2. Principals and Program Administration

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

3. Duties of Administrative Staff

As authorized by the superintendent, administrative staff shall have full responsibility for the day-to-day administration of the area to which they are assigned. Administrative staff are governed by the policies of the district and are responsible for implementing the administrative procedures which relate to their assigned responsibilities. Each administrator's duties shall include but not be limited to:

- A. Planning for the improvement of the program for which he/she is responsible;
- B. Evaluating that program regularly;
- C. Recommending to the superintendent, through the management team, budgetary, program, staff and other changes that will enhance the program;
- D. Advising the superintendent, through the management team, of the impact of proposed policies or other administrative actions on the program for which he/she is responsible;
- E. Evaluating the performance of those staff reporting directly to him/her;
- F. Assisting his/her subordinates to improve their performance; and
- G. Promoting effective working relationships with students, staff and patrons of the district.

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

END OF POLICY



Policy No. 5230
Personnel

Adoption Date: 7/27/87
Revised: 6/21/93
Revised: 11/26/01

PAGE 2

POLICY 5230

Cross References:
(cf. [5240](#) Evaluation of Staff)

Legal References:

[RCW 28A.150.240](#) Basic Education Act of 1977--Certificated teaching and administrative staff as accountable for classroom teaching--Scope--Responsibilities-- Penalty

[RCW 28A.400.100](#) Principals and vice principals--Employment of-- Qualifications-- Duties [RCW 28A.400.110](#) Principal to assure appropriate student discipline

[RCW 28A.405](#) Teachers--General Provisions

[RCW 28A.405.100\(2\)](#) Minimum criteria for the evaluation of certificated employees, including administrators-- Procedure--Scope--Penalty

[RCW 28A.405.230](#) Conditions and contracts of employment--Transfer of administrator to subordinate certificated position--Procedure

[WAC 180-44](#) Teacher's Duties

42 USC 12101 - 12213 Americans with Disabilities Act (ADA)



Evaluation of Staff

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

Certificated Teachers and Principals

Evaluations for certificated teachers and principals will be in compliance with the requirements of chapter [28A.405 RCW](#) and applicable collective bargaining agreements or memoranda negotiated pursuant to chapter [41.59 RCW](#). The primary purpose of such evaluations will be to enhance and improve an employee's performance so as to improve student learning.

Certificated Support Personnel

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

Certificated support personnel are considered non-classroom teachers for purposes of the Professional Growth and Evaluation System, and are not subject to the four-level rating system. The performance of certificated support personnel will be evaluated consistent with state law and applicable collectively bargained processes. The purpose of such evaluations will be to improve the employee's performance and alert the employee to any performance deficits or concerns.

Other Administrative Staff

The performance of administrative staff other than certificated principals and assistant principals as referenced in the section above will be evaluated at least once per year. The purpose of such evaluations will be to improve the employee's performance and alert the employee to any performance deficits or concerns.

Classified Staff

The performance of classified staff will be annually evaluated by his/her supervisor consistent with applicable collectively bargained processes. The purpose of such evaluations will be to improve the employee's performance and alert the employee to any performance deficits or concerns.

Cross References:

Board Policy 5280, Separation from Employment
Board Policy 5520, Staff Development

Legal References:

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



Policy No. 5240
Personnel

Adoption Date: 7/20/87
Revised: 6/21/93
Revised: 11/26/01
Revised: 10/26/20

[WAC 392-191A Professional Growth and Evaluation of School Personnel](#)
[SHB 1346 Nurses in Schools - Authority - Supervision](#)

Management Resources

[2017 - July Issue](#)

[2015 - December Issue](#)

[2013 - April Issue](#)

[2013 - February Issue](#)



Conflicts of Interest

General Rule

No district employee will engage in or have a direct financial interest in any activity which conflicts with his/her duties and responsibilities. Further, no district employee may employ or use any person, money, or school property under the employee's official supervision, control or direction for the private gain of that employee or another.

Situations where a conflict of interest may exist include but are not limited to:

- A. Receiving economic benefit from selling or promoting the sale of goods or services to the students or their parents where the knowledge of the staff member's relationship to the district is in any way utilized to influence the sale.
- B. Receiving economic benefit from the sale of instructional and training materials and/or equipment where the district has specifically engaged a staff member(s) to develop such materials or equipment. In such instances, the district shall retain a proprietary interest.
- C. Encouraging a student who is enrolled in one or more of the teacher's classes to take private lessons or to engage tutoring for fee from the staffmember.
- D. Using or providing for others a list of names and home addresses obtained from school records or school-related contacts for purposes of identifying potential client or customer contacts.
- E. Participating in any way in the selection process for materials, books or equipment when an item developed by or authored by the staff member or a member of his/her family is under consideration for approval for district use.
- F. Being involved in the selection of an applicant or in the appointment, evaluation or supervision of any other staff member who is a family member.
- G. Using the interschool mail to promote sales of a product in which a staff member has a financial interest.
- H. Providing a staff or student directory for use in promoting sales of a product or service.
- I. Purchasing or otherwise acquiring surplus district property, where the staff member was involved in or had influence in the process of declaring the item(s) as surplus.

Written permission from the superintendent or principal is necessary when:

- a. A certificated staff member wishes to tutor or give private lessons for a fee to any student who is enrolled in one or more of the teacher's classes;
- b. A certificated staff member such as communication disorder specialists, psychologists or specialized music teachers, wishes to give private instruction for a fee to any student who is concurrently being served by that individual in the regular school program.

Exceptions

A district employee may use public resources to benefit others as part of the employee's official duties, if the expenditure is of *de minimus* value (of little or no value; no impact on public funds) and is purchased with the consent of his/her supervisor.

Legal Reference:



Policy No. 5251
Personnel

Adoption Date: 9/23/2002
Revised: 10/26/20

[WAC 180-87-090 Improper remunerative conduct](#)
RCW 28A.400.332 Use of persons, money, or property for private gain

Management Resources
2015 - October Policy Issue

Classification: Encouraged

Staff Participation in Political Activities

The board recognizes the right of its employees, as citizens, to engage in political activities. A staff member may seek an elective office provided that the staff member does not campaign on district property during working hours. District property and work time, supported by public funds, may not be used for political purposes.

In the event the staff member is elected to office, the employee may request a leave of absence in accordance with the leave policies of the district or the provisions of any applicable collective bargaining agreement. District employees who hold elective or appointive public office in an organization are not entitled to time off from their district duties for reasons incident to such offices unless the circumstances surrounding the leave request qualify under leave policies of the district.

Cross References: 4400 - Election Activities

Legal References: RCW 41.06.250 Political activities
RCW 42.17A.555 Use of public office or agency facilities in campaigns - Prohibition - Exceptions
RCW 42.17A.635 Legislative activities of state agencies, other units of government, elective officials, employees

Management Resources: 2015 - October Policy Issue

Adoption Date: 10/26/20
Classification: **Discretionary**
Revised Dates:

Maintaining Professional Staff/Student Boundaries

Purpose

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

General Standards

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

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

The interactions and relationships between district staff and students should be based upon mutual respect, trust, and commitment to the professional boundaries between staff and students in and outside of the educational setting, and consistent with the educational mission of the district.

District staff will not intrude on a student's physical and emotional boundaries unless the intrusion is necessary to serve a demonstrated educational purpose. An educational purpose is one that relates to the staff member's duties in the district. Inappropriate boundary invasions can take various forms. Any type of sexual conduct with a student is an inappropriate boundary invasion.

Additionally, staff members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will notify and discuss issues with their building administrator or supervisor whenever they suspect or question whether their own or another staff member's conduct is inappropriate or constitutes a violation of this policy.

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

Use of Technology

The board supports the use of technology to communicate for educational purposes. However, when the communication is unrelated to school work or other legitimate school business district staff are prohibited from communicating with students by phone, e-mail, text, instant messenger, or other forms of electronic or written communication. District staff members are prohibited from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards. This prohibition includes prohibiting staff from "friending" and/or "following" students on social media.

Staff whose conduct violates this policy may face discipline and/or termination consistent with the district's policies and procedures, acceptable use agreement, and collective bargaining agreements, as applicable.

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

Cross References: 3205 - Sexual Harassment of Students Prohibited

3207 - Prohibition of Harassment, Intimidation, and Bullying
3210 - Nondiscrimination
3421 - Child Abuse, Neglect, and Exploitation Prevention

Legal References:

Title IX of the Education Amendments of 1972
Chapter 9A.44, RCW – Sex offenses
Chapter 9A.88, RCW – Indecent exposure – Prostitution
RCW 28A.400.320 Crimes against children – Mandatory termination of classified employees – Appeal – Recovery of salary or compensation by district
RCW 28A.405.470 Crimes against children – Mandatory termination of certificated employees – Appeal – Recovery of salary or compensation by district
RCW 28A.405.475 Termination of certificated employee based on guilty plea or conviction of certain felonies – Notice to superintendent of public instruction - Record of notices
RCW 28A.410.090 Revocation or suspension of certificate or permit to teach – Criminal basis – Complaints – Investigation - Process
RCW 28A.410.095 Violation or noncompliance – Investigatory powers of superintendent of public instruction – Requirements for investigation of alleged sexual misconduct towards a child – Court orders – Contempt – Written findings required
RCW 28A.410.100 Revocation of authority to teach – Hearings
Chapter 28A.640, RCW Sexual Equality
Chapter 28A.642, RCW Discrimination Prohibition
Chapter 49.60, RCW – Washington State Law Against Discrimination
Chapter 181-87 WAC Professional certification – Acts of unprofessional conduct
Chapter 181-88 WAC Definitions of sexual misconduct, verbal and physical abuse - Mandatory disclosure – Prohibited agreements

Management Resources:

2019 - March 2019 - March Policy Issue
2015 - October Policy Issue

Adoption Date:9/16/19
Classification: **Encouraged**
Revised Dates:

Maintaining Professional Staff/Student Boundaries

Additional Guidelines

A. Prevent One-on-One Access to Students

1. Classroom doors should have windows; windows should not be covered except in lockdown situations
2. When an educator meets in the classroom alone with a student, the door should be open
3. Discourage educators from one-on-one contact with students in private settings
4. Require educators and students to meet in places observable by others, such as offices with windows or outdoors, if privacy is needed
5. When a counselor or administrator meets alone with a student, the door should have windows that are not covered
6. Assign at least two educators to monitor bathrooms and locker rooms of their gender, when possible
7. When dealing with a toileting incident, two adults should assist the student if possible
8. Assign at least two educators to be present to assist students with activities such as putting on bathing suits and taking showers
9. Encourage educators to include another adult in electronic communications with students
10. Prohibit educators from:
 - Taking a student without another adult to private areas, such as storage closets, athletic training rooms, hotel rooms, or personal vehicles
 - Sleeping in the same room overnight with students, unless the student's parent or guardian is present
 - Taking a student into the educator's home, unless the student's parent or guardian is present
11. Require educators to:
 - Inform a program supervisor before moving students out of the program area or to a different location on or off campus
 - Use separate bathrooms, locker rooms, and showers from student or, if separate facilities are not available, schedule separate usage times
 - Release students only to an authorized parent, legal guardian, or other adult specifically authorized by the custodial parent or guardian and only after confirming their identification

B. Enforce Professional Boundaries with Supervision

1. Require that supervisors:
 - Receive training on professional boundaries
 - Make periodic unannounced visits in class and during activities to observe whether educators are following professional boundaries
 - Document specific observations about how educators interact with students
 - Correct and provide prompt feedback to educators regarding their adherence to professional boundaries
 - Stop any interaction with a student that appears suspicious

- Discontinue any adult's participation in activities or programs involving students if someone suspects or alleges an inappropriate boundary invasion
2. Train all staff members, volunteers, and students, on how to report suspected professional boundary violations
 3. Require that educators report suspected violations of professional boundaries
 4. Encourage parents or legal guardians to report any suspected professional boundary violations

C. Coaching Sports

1. In coaching any sport, be mindful of touching involved from coaches, and seek ways to mitigate.
2. Coaches should inform players that coaching generally involves physical touch for the purpose of teaching the sport, but anyone uncomfortable can ask not to be touched and the coach will strive to respect the student's wishes. Students should have the opportunity to tell the coach privately that they do not want coaching to include touch, and coaches should not publicly reveal such communication, but should share it with any assistant coaches.
3. If possible, assign two coaches or a second adult at practices.
4. Wrestling coaches should not demonstrate holds on student wrestlers unless there has been a meeting that school year with parents and the student and parent agree to a specific coach demonstrating with the student. Coaches should permit parents to attend wrestling practices.

D. Reporting

When an administrator receives a report that an employee, volunteer, or contractor has perpetrated sexual misconduct against a student or a suspicion of such, the administrator will follow the district's reporting protocol. Based on the circumstances, the administrator might need to inform:

- The Title IX coordinator
- The district's legal counsel
- The district's head of compliance
- Campus police or the district's student protection officer

The administrator should consider whether state or local laws require informing the local police and /or state or local child protection authorities.

The administrator should take immediate steps to prevent further harm to the alleged victim or other students, such as removing the alleged abuser from the program or activity or limiting that individual's contact with students pending resolution of the matter.

Management Resources: 2019 - July Policy Issue

Adoption Date: **9/16/19**
Classification: **Encouraged**
Revised Dates:

Procedure - Maintaining Professional Staff/Student Boundaries

Many educators or volunteers who cross the line of professional boundaries may not consciously begin with predatory motivation in mind. Instead, they allow themselves to develop a special relationship with a student that results in situations where their professionalism is compromised. Sometimes, this leads to sexual misconduct. All of this can be prevented by maintaining professional boundaries with students.

Educators, volunteers, students, parents, and other concerned adults are the key to stopping unprofessional conduct against students. Hence, the following information will help you to help protect students, your school, and the profession.

Reporting Violations

All school staff members or volunteers must promptly notify the supervisor of a staff member or volunteer suspected of engaging in a boundary invasion toward a student.

Staff members should:

- Not wait before reporting suspicious behavior or try to determine whether there is an innocent explanation;
- Not confront or discuss the matter with the staff member at issue or with anyone else, but maintain confidentiality to protect privacy and avoid rumors; and
- Document for their own records, that they notified an administrator, including to whom and what they reported

Students and their parents/guardians are strongly encouraged to notify the principal (or other administrator) if they believe a staff member or volunteer may be engaging in inappropriate boundary invasion conduct with a student.

Boundary Invasion

A boundary invasion is an act or pattern of behavior by a staff member or volunteer that does not have a bone fide health, safety, or educational purpose for the student. Such situations are the opposite of maintaining professional boundaries with students. Staff members and volunteers shall not engage in boundary invasions of students, which include, but are not limited to, the following:

- A. Any type of inappropriate physical or sexual conduct with a student or any other conduct that violates the board's policies regarding student welfare, the educational environment, or conduct toward current or former students. Inappropriate physical conduct includes hugging, kissing, or being "overly touchy" with students without any legitimate educational or professional purpose;
- B. Showing intimate or unduly revealing photos to a student or asking a student to provide intimate or unduly revealing photos; taking inappropriate photographs of a student, or taking an inordinate number of photographs of a student.
- C. Any kind of flirtatious or sexual communications with a student;
- D. Singling out a particular student or students for personal attention and friendship beyond the professional staff/student relationship. This includes, but is not limited to, favoring one or more students with special privileges, allowing them to remain in the classroom during non-class times, unilaterally removing a student from another class or activity, or engaging in "peer like" behavior with one or more students;
- E. Providing alcohol, drugs, or tobacco to students or failing to report their use of these substances;
- F. For non-guidance/counseling staff, allowing or encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members shall refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- G. Sending students on personal errands unrelated to any educational purpose;
- H. Banter, allusions, jokes, or innuendos of a sexual nature with students;

- I. Favorably commenting on a student's appearance if it is unduly revealing or if the comments have no educational value;
- J. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students;
- K. Addressing students or permitting students to address staff members or volunteers with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- L. Maintaining personal contact (including "friending" or "following") a student on any social networking application or device;
- M. Sending phone, e-mail, text, instant messenger, or other forms of written or electronic communication to students when the communication is unrelated to school work or other legitimate school business. If staff members have educational or legitimate school business to conduct, they shall include a parent/guardian and a school administrator on the communication. If staff members receive a student's communication, the staff member shall reply by including the student's parent/guardian and an administrator. Staff members should use school e-mail addresses and phone numbers and the parents' phone numbers for communications with students, except in an emergency situation;
- N. Exchanging or providing personal gifts, cards, or personal letters with an individual student;
- O. Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- P. Giving a student a ride alone in a vehicle in a non-emergency situation or failing to timely report that occurrence;
- Q. Providing a student with information or views about other students or staff members without a legitimate professional purpose;
- R. Asking a student to keep a secret or not to disclose any inappropriate communications or conduct;
- S. Unnecessarily invading a student's privacy, (e.g. walking in on the student in the bathroom or a hotel room on a field trip);
- T. Being alone with an individual student out of the view of others; and/or
- U. Any home visits unless other adults are present, the student(s) are invited for an activity related to school, and the student's parent/guardian and an administrator are informed and have consented.

Investigation and Documentation

When an administrator receives information that a boundary invasion has occurred or might have occurred, the administrator must document, in writing, the concern and provide a copy of the documentation to the *District note: insert appropriate person/department (e.g. assistant superintendent or director in charge of the district's human resources)*. The *[insert appropriate person/department (e.g. assistant superintendent or director of human resources)]* will see that the matter is investigated and documented, and if a boundary invasions have occurred without a legitimate educational or safety purpose, that appropriate action is taken and documented. The *[insert appropriate person/department (e.g. assistant superintendent or director of human resources)]* will maintain a file documenting reports, letters of direction, and discipline relating to professional boundary investigations.

Reminder About Reporting Sexual Abuse

In some situations, the person engaging in boundary invasions with a student may also have engaged in child abuse or sexual abuse, which is defined in Board Policy 3421 - Child Abuse, Neglect, and Exploitation Prevention. Remember that according to law (RCW 26.44.020) and Board Policy 3421, all school personnel who have reasonable cause to believe that a student has experienced sexual abuse by an adult or student are required to make a report to Child Protective Services and/or law enforcement. (See Board Policy 3421.) Reporting suspected abuse to the building principal or supervisor does not relieve professional school personnel from their reporting responsibilities and timelines.

Disciplinary Action

Staff member or volunteer violations of this policy may result in disciplinary action up to and including dismissal. Violations of this policy may occur by ignoring professional boundaries as well as failing to report another staff member or volunteer who is ignoring professional boundaries. In any disciplinary situation, the Superintendent should consider whether the conduct violates the Code of Professional Conduct in Chpt. WAC 181-87 and whether a report to the Office of Professional Practices is warranted.

Training

All new staff members and volunteers will receive training on appropriate staff/student boundaries within three months of employment or beginning of service. Such initial training may be on-line training. Site

administration and classified employee supervisors shall see to it that more detailed, live training covering this entire procedure shall occur every two years for all schools and work sites. Site administration and classified employee supervisors will also address professional boundaries at staff meetings early in the year.

Dissemination of Policy and Reporting Protocols

This policy and procedure will be included on the district website and in all employee, student, and volunteer handbooks. Annually, all administrators and staff will receive copies of the district's reporting protocol. The district shall also provide a copy of this policy and procedure to students and their parents during each school year.

Adoption Date:9/16/19

Classification:

Revised Dates:



Personnel Records

The district will organize, compile and maintain personnel records and files for each staff member of the district, which will be kept secure under the authority of the superintendent/designee. The contents of the files will be available to the superintendent/designee and to those staff authorized by the superintendent/designee to organize, compile and maintain the personnel files. Staff members who have access to the files shall be required to maintain the confidentiality of the files and their contents. Any confidential college or university credentials or other confidential pre-employment materials received by the district will be returned to the sender or maintained in personnel records, such as an application file.

A certificated or classified staff member will be permitted, during normal district business hours, to review the contents of his/her personnel file in the presence of an authorized staff member. Personnel files may be maintained by the district in hard copy or in an electronic format.

A staff member annually may petition that the superintendent review all information in the staff member's personnel file(s) to determine if there is any irrelevant or erroneous information in the file(s), and will remove all such information from the file(s). If a staff member does not agree with the superintendent's determination, the staff member may at his or her request have placed in the staff member's personnel file a statement containing a rebuttal or correction.

Cross Reference:

[Board Policy 4040 Public Access to District Records](#)

Legal References:

[RCW 28A.405.250 Certificated employees, applicants for certificated position, not to be discriminated against--Right to inspect personnel file](#)

[RCW 42.56.230\(3\) Certain personal and other records exempt \(from public inspection\)](#)[49.12.240-260 Employee inspection of personnel file](#)

Management Resources

[2015 - October Policy Issue](#)

[Classification: Encouraged](#)



Policy No. 5270
Personnel

Adoption Date: 9/23/02
Revised: 10/26/20

Resolution of Staff Complaints

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

Staff may use the administrative procedures to allege a violation of existing district policies or procedures that has aggrieved them. The procedures are established to provide a proper and equitable solution to a complaint at the lowest possible supervisory level and to facilitate an orderly procedure within which solutions may be pursued.

A complaint shall mean a written claim by a staff member that alleges a violation of existing district policies or procedures that has directly aggrieved them.

Management Resources
2015 - October Policy Issue

Classification: Discretionary

Procedure - Resolution of Staff Complaints

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

Step One

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

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

Failure to submit a written complaint within the timeline specified will result in waiver of the complaint.

If a written complaint is filed in compliance with the timeline specified above, the staff member will discuss this complaint with his/her immediate supervisor. If the complaint is against an administrator or another staff member, such individual may be present at the meeting to present the facts as he/she sees them. A sincere effort will be made to resolve the complaint at this level. If the aggrieved person does not appeal the complaint to the superintendent/designee in writing within 10 calendar days of the aggrieved person's meeting with his/her immediate supervisor, the complaint will be waived.

Step Two

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

The superintendent/designee will render a decision regarding the appeal within 10 calendar days of the aggrieved person's meeting with the superintendent/designee. If the complainant does not appeal the superintendent/designee's decision in writing to the board through the superintendent/designee within 10 calendar days, the complaint will be waived.

Step Three

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

Adoption Date:
10/26/20
Classification:
Revised Dates:



Policy No. 5271
Personnel

Adoption Date: 3/15/93

Revised: 1/18/95

Revised: 11/26/01

Reporting Improper Governmental Action (Whistleblower Protection)

The district encourages the reporting, consistent with the district's procedures, of improper governmental actions by any district officers or employees and will protect employees against retaliatory employment actions for reporting improper governmental actions when the reports are made in compliance with this policy and related procedure.

District officers and employees are prohibited from taking retaliatory action against an employee because the employee has in good faith reported alleged improper governmental action in accordance with this policy and related procedure.

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

Legal References:

[RCW 42.41.010](#) to [42.41.060](#) Local Government Whistleblowers Protection

Management Resources

[2015 - October Policy Issue](#)

Classification: Encouraged

Procedure - Reporting Improper Governmental Action (Whistleblower Protection)

Definitions:

As used in this policy and procedure, the following terms will have the meanings indicated.

- A. "Improper governmental action" means any action by a district officer or employee:
 - 1. That is undertaken in the performance of the officer or employee's official duties, whether or not the action is within the scope of the employee's job; and
 - 2. That (i) is in violation of any federal, state or local law or rule, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety, or (iv) is a gross waste of public funds.
 - 3. Improper governmental action does not include personnel actions including, but not limited to, employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of the collective bargaining and civil service laws, alleged labor agreement violations, or reprimands.
- B. "Retaliatory action" means any adverse change in the terms and conditions of a staff member's employment.
- C. "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property. Employees are encouraged to report instances which they believe constitute governmental misconduct.

Reporting:

Employees who become aware of actions that they believe constitute improper governmental action should raise the issue first with their supervisor. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the superintendent or the person whom the superintendent has designated to receive reports of improper governmental action. If requested by the supervisor or superintendent/designee, the employee will submit a written report to the supervisor or superintendent/designee, stating in detail the basis for the employee's belief that an improper governmental action has occurred.

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

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

Response:

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

District officers and employees involved in the investigation will keep the identity of reporting employees

confidential to the extent possible under law, unless the employees authorize the disclosure of their identities in writing.

After an investigation has been completed, the reporting employee will receive a summary of the investigation results, except to the extent that resulting personnel actions must be kept confidential. If a reporting employee reasonably believes that an adequate investigation was not done by the district, that insufficient action has been taken, or that the improper governmental action is likely to recur, the employee may report information about the improper governmental action directly to the appropriate government agency.

Retaliation:

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the superintendent or the superintendent's designee. Appropriate action to investigate and address complaints of retaliation will be taken.

If the complaint cannot be informally resolved, the employee will provide written notice to the superintendent/designee that specifies the alleged retaliatory action and the relief requested by the employee. The written complaint must be filed within thirty days of the alleged retaliation. The district will respond to the complaint within thirty days of receiving the written notice.

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

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

Office of Administrative Hearings
P. O. Box 42488
919 Lakeridge Way SW
Olympia, Washington 98504-2488
(360) 407-2700

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

Administration:

A summary of this policy and procedure will be permanently posted where all employees will have reasonable access to it, the policy and procedure will be made available to any employee who requests them, and the policy and procedure will be given to all new employees.

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

Local City Police Dept. or County Sheriff's Office

Local County Prosecutor's Office

Local City or County Environmental Protection Office

Local or County Health Department

WA. Attorney General's Office
Consumer Protection Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104
1-800-551-4636

U. S. Department of Education
Office of the Inspector General
915 - 2nd Ave., Seattle, WA 98174
Audits: (800) MIS-USED

Washington Auditor's Office
Insurance Building
Capitol Campus

Environmental Protection Agency
Criminal Investigations
300 Desmond Dr. Ste. 102

P.O. Box 40021
Olympia, Washington 98504-0021
(360) 902-0370

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

WA. Human Rights Commission
711 South Capitol Way, Suite 402
Olympia, Washington 98504-2490
(800) 233-3247

WA. Dept. of Labor & Industries
P.O. Box 44000
Olympia, Washington 98504-4400
(800) 547-8367

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

Lacey, WA 98503
(360) 753-9437

Equal Employment Opportunity Comm.
(EEOC) 909 First Ave., #400
Seattle, WA 98104-1061
(800) 669-4000

Federal Emergency Mgmt. Agency (FEMA)
130 - 228th Street, Southwest
Bothell, WA 98021-8627
(425) 487-4600

U S Department of Labor
Occupational Safety and Health
1111 3rd Ave # 715
Seattle, WA 98101-3216
(206) 553-5930

National Transportation Safety Board
Washington, DC
429 L'Enfant Plaza SW
Washington D.C., DC 20024
(202) 314-6000

U S Department of Transportation
Office of Inspector General
Complaint Intake Unit, Mail Stop 7886
1401 Constitution Avenue, N.W.
Washington, DC 20230
(800) 424-5197

WA Superintendent of Public Instruction
Old Capitol Building
P O Box 47200
Olympia, Washington 98504-7200
(360) 725-6000

Adoption Date:
10/26/20
Classification:
Revised Dates:



Separation from Employment

Under Washington law the superintendent has the statutory authority to issue an appropriate notice of probable cause for discharge or nonrenewal to any certificated staff member. The board of directors will consider the notice of probable cause for a certificated staff member, and render a decision regarding the discharge or nonrenewal. A notice of discharge will include notice of any appeal rights the employee may have and notice of the appeal processes.

1. Certificated Staff Member Release from Contract

Upon request a certificated staff member may be released from contract under the following conditions:

- A. A letter requesting release will be submitted to the superintendent's office. If accepted by the board, the staff member may be released from contract.
- B. A release from contract may be granted by the board to allow a staff member to accept another position prior to or during the school year provided a satisfactory replacement can be obtained.
- C. A release from contract may be granted by the board in case of illness or other personal matters, which make it a substantial hardship for the staff member to continue his/her employment in the district.
- D. Each request will be reviewed and a decision rendered based on the totality of the circumstances. The needs of the district and continuity of the educational program offered to students shall receive primary consideration in the board's decision.

2. Resignation

In order to permit proper staff planning and to minimize inconvenience to others who may be affected, certificated staff who plan to resign at the end of their contract period are requested to notify the superintendent of their resignation or retirement by April 1 (or the district may insert alternate date).

Those staff who are not contractually obligated to complete the current school year should notify the superintendent as early as possible of their intent to resign and no less than 30 days prior to their last working day.

3. Retirement

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

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

Those staff intending to retire who are not contractually obligated to complete the current school year should notify the superintendent as early as possible and no less than 30 days prior to their retirement date.

4. Program and Staff Reductions

The board of directors determines the educational and operational programs for the district. Program and staff reductions may be required as a result of many factors, including



**Policy No. 5280
Personnel**

Adoption Date: 7/20/87
Revised: 6/21/93
Revised: 11/26/01
Revised: 9/23/02
Revised: 10/26/20

but not limited to enrollment decline, programmatic needs or interests, a change in staffing needs, failure of a special levy election or other events resulting in a significant reduction in revenue, increase in costs, and/or termination or reduction of funding of categorically-funded projects. The board will review funding of categorically-funded projects. The board will review appropriate information and based on administrative recommendations identify those educational programs and services which shall be reduced, modified or eliminated.

Cross References:

[5006](#) - Certification Revocation
[5240](#) - Evaluation of Staff
[5281](#) - Disciplinary Action and Discharge

Legal References:

[RCW 28A.400.300](#) Hiring and Discharging Employees--Leaves for employees--Seniority and leave benefits, retention upon transfers between schools
[RCW 28A.400.320](#) Mandatory termination of classified employees
[RCW 28A.400.340](#) Discharge Notices Include Appeal Rights
[RCW 28A.405.140](#) In-service training for teacher may be required after evaluation
[RCW 28A.405.210](#) Conditions and contracts of employment--Determination of probable cause for non-renewal of contracts--Notice--Opportunity for hearing
Conditions and contracts of employment--Non-renewal of provisional employees--Procedure
[RCW 28A.405.300](#) Adverse change in contract status of certificated employee--Determination of probable cause--Notice--Opportunity for hearing
[RCW 28A.405.310](#) Adverse change in contract status of certificated employee, including non-renewal of contract--Hearings--Procedure
[RCW 28A.405.470](#) Mandatory termination of certified employees
[RCW 28A.410.090](#) Revocation of authority to teach
[RCW 41.32.240](#) Membership in system--Procedure when exempted person desires membership--Continuation of exemption--Persons formerly exempt, minimum period to qualify for retirement allowance
[RCW 41.33.020\(6\)](#) Terms and provisions of plan
[RCW 41.40.023](#) Membership
[RCW 41.41](#) State Employees' Retirement--Federal Social Security
[WAC 180-86](#) Policies and procedures for administration of certification proceedings
[WAC 180-87](#) Acts of Unprofessional Conduct
[RCW 28A.405.220](#) Conditions and contracts of employment — Non-renewal of provisional employees — Notice — Procedure
[RCW 28A.405.100](#) Minimum criteria for the evaluation of certificated employees - Revised four-level evaluation systems for classroom teachers and principals - Procedures - Steering committee - Models - Implementation - Reports
[Chapter 392-191 WAC School Personnel—Evaluation of the Professional Performance Capabilities](#)

Management Resources:

2015 - December Issue
2014 - February Issue
2013 - February Issue

Classification: Encouraged

Procedure - Garnishment and Personal Credit Problems

Garnishment will mean a legal stoppage of a specified sum from wages to satisfy a creditor. Any writ of garnishment will be received and signed by the superintendent. Following such notice, the notice will be:

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

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

Adoption Date:
10/26/20
Classification:
Revised Dates:



Personnel Leaves

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

- A. **Leave at Full Pay Unless Stated Otherwise.** Leaves will be with pay unless otherwise stated. If leaves are to include expenses to be paid by the district, that also will be specifically stated.
- B. **Leaves in Units of Full or Half Days.** Leaves may be granted in units of half or full days only.
- C. **Return from Leaves.** At the end of any leave shorter than 20 days in duration, sabbatical leave, or sick leave which does not exhaust the staff member's accumulated sick leave, the affected staff member is entitled to return to the position held when the leave commenced or to an appropriate comparable position. Except as may otherwise be specifically provided by law or district policy, a staff member will be entitled to a position in the district subject to the availability of a position for which the staff member is qualified after leaves of longer duration.
- D. **Prior Notice of Application.** Reasonable advance notice is required for all leaves, with specific advance notice as stated in district policy.
- E. **Flexibility in Granting Leaves.** The superintendent, with approval of the board, may grant leaves to individuals who might not otherwise be covered, or extend leave in excess of the number of days provided by district policy, in unusual or exceptional circumstances.
- F. **Leaves Prorated for Part-Time Staff.** Part-time staff will be entitled to leave benefits, unless otherwise stated in district policy, provided that the length of leaves will be prorated according to the ratio of days and/or hours worked to the number of days and/or hours worked by a full-time staff member in the same or a similar position.
- G. **Non-cumulative.** Leaves will be non-cumulative from year to year unless otherwise stated.

Legal References:

[RCW 28A.400.300](#) Hiring and discharging employees--Leaves for employees--Seniority and leave benefits, retention upon transfers between schools.

[AGO 8022.00](#) 1980 No. 22 Limitation on compensated leave for [school district employees](#)

Cross References

[5411 - Staff Vacations](#)

[5410 - Holidays](#)

[5407 - Military Leave](#)

[5406 - Leave Sharing](#)

[5404 - Family, Medical, and Maternity Leave](#)

[5403 - Emergency and Discretionary Leaves](#)

[5401 - Sick Leave](#)

Classification: Essential



Emergency and Discretionary Leaves

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

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

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

Family Emergency Leaves

The board recognizes that the demands of the workplace and of families need to be balanced to promote family stability and economic security for school district employees. Conditions for the authorized use of accumulated leave for family leaves are to be fairly construed in a manner consistent with this policy, and other relevant district policies.

Unless otherwise stated, any leave used under terms of this policy will be deducted from the staff member's accumulated sick leave. In the event the staff member's sick leave has been exhausted, the leave will be granted without pay.

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

A. Domestic Violence Leave

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

Family Illness

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

Death in the Family

The district will allow each full-time staff member a maximum of five (5) days leave upon the death of an employee's spouse, mother, father, son, daughter, sister, brother, mother-in-law, or father-in-law. Leave also shall be allowed upon the death of a son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandmother, grandfather, granddaughter or grandson. The deaths of more than one family member resulting from a common occurrence shall be treated as a single death with respect to the length of leave granted.

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

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

Sabbatical Leaves

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

- A. Years to Qualify: Staff will have served or more continuous years in the district.
- B. Limit on Number: Sabbatical leaves may be granted up to one full year to not more than _____ percent of the total certificated staff of the district in any one year, the number granted to be subject to determination by the board upon the recommendation of the superintendent.
- C. Application Deadline: Applications for sabbatical leave will be filed with the superintendent not later than _____ days prior to the school year for which it is requested. The board may, at its discretion, extend this deadline.
- D. Proposed Plan to Accompany Application: A proposed plan of study or research to which the time spent on leave will be devoted must accompany the application.
- E. Criteria for Evaluation of Applications: Applications will be evaluated on the following three criteria:

1. The merit of the proposed plan of study or research and its relationship of service

to the district in terms of the individual's professional background.

2. Proportionate representation of the different levels of district schools, such as elementary, middle school, senior high school, and administration.
 3. Seniority will be considered.
- F. Final Approval by Board: Applications approved by the superintendent will be presented to the board for final approval. Once approved by the board, any change of sabbatical plan will be presented in writing and approved by the superintendent in advance of the leave.
- G. Two-Year Studies: An applicant who is taking part in a two-year study may, upon evaluation of his/her program, request one year of sabbatical leave and a preliminary commitment, subject to district staffing needs, for an additional one-year leave of absence.
- H. Scholarship for Study or Research: Should the staff member who is granted a sabbatical leave receive a scholarship during the same year as the sabbatical, the total compensation from the two sources will not exceed the salary he/she would receive if under regular contract with the district for full-time service.
- I. Stipend for Study or Research: A staff member on sabbatical leave for study or research will receive a stipend of _____ percent of his/her regularly contracted salary unless this sum is reduced as a result of section H above. The stipend will be paid in ten or twelve payments at the option of the applicant. All regular salary deductions will be made.
- J. Stipend Considered a Loan: The stipend received is a loan. Should a staff member on sabbatical leave fail to return to the district, he/she will then repay the loan within _____ years at the interest rate of _____ percent or at that rate provided in RCW 19.52.010, whichever is greater.
- K. Cancellation of Loan: The stipend will be canceled in the following manner upon the return of the staff member to the district:
1. One-half of the total loan will be canceled after the first year of service in the district;
 2. The remaining one-half of the loan will be canceled after the second year of service in the district.
- L. Maintenance of Tenure and Salary Standing: A staff member granted sabbatical leave

will maintain standing in tenure and salary.

- M. **Limit on Other Employment:** A staff member on sabbatical leave for study or research will not seek employment for compensation during the period of sabbatical other than to supplement sabbatical leave income in carrying out the approved program. Such employment must be approved by the superintendent and the board and, when combined with the sabbatical stipend, will not exceed the salary he/she would receive if under regular contract with the district for full-time service.
- N. **Report Required Upon Return:** Within 30 days of a staff member's return from sabbatical leave, the staff member will file with the superintendent a report giving the substance of the program of study or research in which he/she is engaged, and indicating the value which he/she believes grew out of the experience. If the staff member was employed for compensation during the program, full details of the employment and income should be included in this report.
- O. **Leaves to Accept Scholarships:** Staff may at any time request leave to accept scholarships of up to one full year which would not involve the district in any financial obligations, in which case all other provisions of the sabbatical leave policy except the percentage limitation would apply.
- P. **Return to Original Position:** An effort will be made to replace a certificated staff member returning from sabbatical leave in his/her original position or in an appropriate comparable position.

Leaves of Absence

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

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

Staff on leave of absence will not earn any salary schedule experience credit or any sick leave credit or benefits during the leave of absence.



**Policy No. 5403
Personnel**

Adoption Date: 6/21/93
Revised: 11/26/01
Revised: 2/18/03
Revised: 10/26/20

Leaves to Attend Meetings/Conferences

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

Cross
References:

[Board Policy 5021](#)

[Conflicts Between Policy and
Bargaining Agreements](#)

Legal
References:

[RCW 49.12.270](#)

[Sick leave to care for family
members](#)

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

[Chapter 49.76 RCW Domestic violence leave](#)

Management Resources

[2011 - October Issue](#)
[2009 - April Issue](#)

Classification: Discretionary



Policy No. 5403
Personnel

Adoption Date: 6/21/93
Revised: 11/26/01
Revised: 2/18/03

Family, Medical, and Maternity Leave

I. State Paid Family and Medical Leave

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

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

Eligibility

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

Reasons for leave

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

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

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

Amount of leave

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

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

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

Employee notice to district

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

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

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

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

District notice to employee

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

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

Employment restoration

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

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

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

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

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

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

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

II. Federal Family and Medical Leave

General provisions

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

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

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

Family leave authorized under this policy must be taken full-time and consecutively unless an alternative schedule is approved by the superintendent or designee or where intermittent or reduced leave is medically

necessary. Instructional staff may not take reduced or intermittent leave when it would constitute 20 percent of the number of working days in the period during which the leave would extend without the approval of the superintendent or designee. An instructional employee may be transferred to an alternative equivalent position that would accommodate reduced or intermittent leave, if such a position is available.

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

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

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

Birth or adoption

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

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

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

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

Employment restoration

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

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

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

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

III. Maternity Leave

A staff member may use accumulated paid sick leave for the period of actual disability attributable to pregnancy or childbirth. This period will extend from the date of birth for a period of not more than 60 days,

Legal References:

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

Title 50A RCW Family and Medical Leave

WAC 162-30-020 Pregnancy, childbirth, and pregnancy
related conditions

29 USC Sec 2601 Family and Medical Leave Act of 1993

Management Resources:

2011 - October Issue

2009 - April Issue

Adoption Date: 10/26/20

Classification: **Essential**

Revised Dates:



Leave Sharing

The district will establish and administer a leave sharing plan in which eligible employees may donate excess leave for use by a staff member who is suffering from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment or physical or mental condition; who is a victim of domestic violence, sexual assault, or stalking; who is sick or temporarily disabled because of pregnancy disability; who is on parental leave; or who has been called to service in the uniform services.

Such a program is intended to extend leave benefits to a staff member who otherwise would have to take leave without pay or terminate his or her employment. The superintendent is directed to develop a procedure for administering the leave-sharing program in a manner consistent with state law and applicable collective bargaining agreements.

Cross Reference:

[5021 Conflicts Between Policy and Bargaining Agreements](#)

Legal References:

[RCW 28A.400.380](#) Leave sharing program

[RCW 41.04.650 655 660 665](#) Leave sharing program

[WAC 392-126-004-104](#) Finance--Shared Leave Management Resources

[PNA 9908.03](#) Staff may share personal holiday

Management Resources

[2018 - May Policy Issue](#)

[2010 - October Issue](#)

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

Policy News, August 1999 Staff may share personal holiday

Classification: Encouraged



Leave Sharing

A district employee is eligible to receive donated leave if the following conditions are met:

1. The staff member suffers from, or has a relative or household suffering from, an extraordinary or severe illness, injury, impairment, or physical or mental condition; is a victim of domestic violence, sexual assault, or stalking; needs time for parental leave; is sick or temporarily disabled because of pregnancy; or has been called to service in the uniformed services;
2. The staff member's condition or circumstance has caused or is likely to cause the staff member to:
 - a. Go on leave-without-pay status; or
 - b. Terminate his/her employment;
3. The staff member's absence and the use of shared leave are justified by documentation;
4. The staff member has depleted, or will shortly deplete, his or her annual leave and sick leave reserves (a staff member who is sick or temporarily disabled because of pregnancy or using parent leave does not have to deplete all annual and sick leave reserves; he or she can maintain up to 40 hours of annual leave and 40 hours of sick leave in reserve)
5. The staff member has abided by district rules regarding sick leave use; and
6. The staff member has diligently pursued and been found to be ineligible to receive industrial insurance benefits.

The superintendent or designee will determine the amount of leave, if any, which a staff member may receive under this policy and procedure. However, a staff member shall not receive more than the number of contracted days remaining in the current school year. In the event that the condition requiring the employee's absence continues beyond the current school year, the employee shall not receive a total of more than 522 days of donated leave during total district employment.

B. District employees may donate leave as follows:

1. A staff member who has an accrued annual leave balance of more than ten (10) days may request that the superintendent transfer a specified number of days to another person authorized to receive shared leave, or to the district's annual leave pool. A staff member may not request leave to be transferred that would result in an accrued annual leave balance of fewer than ten (10) days;
3. A donating staff member must retain a minimum of 176 hours of sick leave after the transfer; A staff member who does not accrue annual leave but who has an accrued sick leave balance of more than twenty-two (22) days may request that the superintendent transfer a specified amount of sick leave to another person authorized to receive such leave, or to the district's shared leave pool. A staff member may not request a transfer that would result in an accrued sick leave balance of fewer than twenty-two (22) days. Sick leave as defined in RCW 28A.400.300 means leaves for illness, injury and emergencies;
4. A staff member who receives personal holiday leave may request that the superintendent or designee transfer a specified amount of personal holiday leave to another person authorized to receive shared leave, or to the district's shared leave pool. A staff member may request to transfer no more than the amount of personal holiday leave provided by RCW 1.16.050 during



**Policy No. 5406P
Personnel**

Adoption Date: 5/19/97

Revised: 9/23/02

Revised: 10/26/20

any calendar year;

5. The number of leave days transferred will not exceed the amount authorized by the donating staff member; and
 6. Any leave donated by a staff member which remains unused will be returned to the donor. To the extent administratively feasible, leave transferred by more than one staff member will be returned on pro-rata basis.
- C. Leave will be calculated on a day-donated and day-received basis.

Military Leave

The district will grant military leave as provided by law to each staff member who is a member of a United States Military Reserve Unit or a member of the Washington National Guard for a period not to exceed twenty-one days during each year beginning October 1st and ending the following September 30th, provided such reservist has been called to, or volunteered for, active duty or active duty training. Such military leave of absence will be in addition to any vacation or sick leave to which the staff member may be entitled and will not result in any loss of rating, privileges or pay. During this 21 day period of military leave, the staff member will receive his/her normal pay from the district.

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

Military Leave - Spouse

The district will allow an employee who is the spouse of a military member of the U.S. Armed Forces, National Guard, or Reserves to take up to fifteen (15) days of unpaid leave during a period of military conflict when:

- A. The military spouse is on leave from a deployment; or
- B. Prior to deployment once the military spouse receives official notification of an impending call or order to active duty.

The employee must work an average of twenty hours or more each week for the district.

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

Cross References: 5404 - Family, Medical, and Maternity Leave

Legal References: RCW 38.40.060 Military leave for public employees
Chapter 49.77 RCW Military family leave act
Chapter 73.16 RCW Employment and reemployment
AGO 1961No. 81 Public employees — State and municipal employees — Military leave — Reserve meetings
38 USC 4301-4335 Uniformed services employment and reemployment rights act

Management Resources: 2009 - April Issue
2009 - February Issue
Policy News, June 2001 State Updates Military Leave Rights

Adoption Date: 10/26/20
Classification: **Encouraged**
Revised Dates:

© 2020-2025 Washington State School Directors' Association. All rights reserved.

Procedure - Military Leave

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

- A. Service in the uniformed services means: active duty, active duty training, initial active duty training, inactive duty training, full-time National Guard duty (including state-ordered active duty) and examinations for fitness for duty;
- B. If the employee was engaged in military service for up to and including ninety days, the employee will be re-employed in the position he or she would have attained if there had been no interruption of employment;
- C. If the employee was engaged in military service for more than ninety days, the employee will be re-employed in a position of comparable seniority, status and pay as he or she would have attained without interruption of employment; and
- D. A district employee who has a service-connected disability will be re-employed in a position of similar seniority, status and pay for which the employee is qualified or becomes qualified with reasonable accommodation by the district.

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

- A. If military service was up to and including thirty days, the employee must report for work at the beginning of the first full work day at least eight hours after the employee has had time to return to his or her residence following the completion of the military service;
- B. For service from 31 to 180 days, the employee must submit an application for re-employment within fourteen days of completing military service; and
- C. For service over 180 days, the employee must submit an application for re-employment within ninety days of completing military service.

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

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

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

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

may only be charged up to 102 percent of the premium for the benefits.

Adoption Date:

10/26/20

Classification:

Revised Dates:

© 2020-2025 Washington State School Directors' Association. All rights reserved.

Jury Duty and Subpoena Leave

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

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

Legal References: Chapter 2.36 RCW - Juries

Management Resources: Policy News, April 2007 Jury Compensation vs Expenses
Policy News, February 2007 Juror Payment Provisions

Adoption Date: 10/26/20
Classification: **Discretionary**
Revised Dates:

Unpaid Holidays for Reason of Faith or Conscience

Each district employee may request up to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization. In compliance with state law, the Superintendent or designee or the employee's supervisor will grant the request(s) unless he or she determines that the employee's absence would impose an undue hardship on the district or the employee is necessary to maintain public safety.

Employee Request Process

An employee seeking to take unpaid holidays for reasons of faith or conscience will submit a written request to their supervisor a minimum of two weeks prior to the requested days off.

The following information will be included in the request:

1. Name;
2. Position;
3. Number of Day(s) or half day(s) that the employee is requesting off;
4. A sufficient description of the reason for the time off so that the supervisor can determine whether it involves a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization;
5. If the request is made less than two weeks prior to the requested time off, the reason that it was not possible to make the request in a timely manner.

District Approval Process

Upon receipt of an employee request for unpaid holidays, the Superintendent or designee, or employee's supervisor, will determine whether:

1. The request was submitted on a timely basis or sufficient justification exists for it not being timely submitted;
2. The employee has already exhausted his/her two unpaid holidays per calendar year as provided by law;
3. The request for unpaid holidays is based on a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization. (Note: The time requested need not conform to a specific holiday or event).
4. The employee's absence would impose an undue hardship on the district; or
5. The employee is necessary to maintain public safety.

Undue hardship is defined as action requiring significant difficulty or expense to the district. The supervisor will determine whether a request for unpaid leave constitutes an undue hardship for the district on a case-by-case basis, taking into account specific objective facts and circumstances present at the time of each request.

In determining whether an employee's request for unpaid leave would impose an undue hardship on the district, the following factors will be considered:

1. The number, composition and structure of the staff employed by the district or in the requesting employee's program;
2. The financial resources of the district or the requesting employee's program;
3. The number of employees requesting leave for each day subject to such a request;
4. The financial impact on the district or requesting employee's program resulting from the employee's absence and whether that impact is greater than a de minimus cost to the district or the requesting employee's program;
5. Impact on the district, the requesting employee's program or public safety;
6. Type of operations of the district or the requesting employee's program;
7. Geographic location of the employee or geographic separation of the particular program to the operations of the district;
8. Nature of the requesting employee's work;
9. Deprivation of another employee's job preference or other benefit guaranteed by a collective bargaining agreement;
10. Any other impact on district operations or the requesting employee's program due to the employee's absence.

The request may be denied for any of the following reasons:

1. The request was not based on a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church or religious organization. (Note: The requested time off need not conform to a specific holiday or event).
2. The employee has already exhausted their two unpaid holidays per calendar year (Note: Unpaid holidays are not cumulative from year to year);
3. The employee is necessary to maintain public safety;
4. Granting the request would impose an undue hardship, as defined above, on the district.

A written response will be provided to the employee within five (5) business days, if feasible, approving or denying the request. If the request is denied, the response will state the reason(s) therefor.

Approval of unpaid holiday time does not constitute approval for an employee to take compensated or other types of leave in conjunction with that time. An employee must seek separate approval for compensated and other types of personnel leave consistent with applicable district policies and procedures.

Cross References: 5400 - Personnel Leaves
 5401 - Sick Leave
 5403 - Emergency and Discretionary Leaves
 5404 - Family, Medical, and Maternity Leave

5406 - Leave Sharing
5407 - Military Leave
5408 - Jury Duty and Subpoena Leave
5410 - Holidays
5411 - Staff Vacations

Legal References:

RCW 1.16.050 - Legal holidays and legislatively recognized days
RCW 43.41 - Office of Financial Management
WAC 82-56-010 - Purpose
WAC 82-56-020 - Definition of Undue Hardship
WAC 82-56-030 - Application of definition of undue hardship to request

Adoption Date:
10/26/20
Classification: **Essential**
Revised Dates:

Staff Vacations

Regular full-time employees (12 months/year) will accrue vacation leave according to the PSE Agreement in Article VIII unless otherwise agreed to in writing.

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

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

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

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

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

Cross References: 5021 - Conflicts Between Policy and Bargaining Agreements

Legal References: RCW 41.50.150 Retirement benefits based on excess compensation — Employer liable for extra retirement costs
WAC 415-108-510 Treatment of cash payments made in lieu of unused leave — First-in-first-out accounting method for determining when leave earned — Forms of leave deemed excess compensation — Conversions
WAC 415-112-415 Are cash-outs for annual leave and personal leave included in earnable compensation and/or average final compensation?
AGO 1976 No. 10 Accumulation of sick leave while on leave

Adoption Date:
Classification: **Discretionary**
Revised Dates: **04.98; 12.11**

© 2020-2025 Washington State School Directors' Association. All rights reserved.



Staff Development

Professional Growth and Development for Non-Administrative Staff

Additional training and study are prerequisites for continued growth and effectiveness of staff members. It is also necessary for staff members with increased responsibilities and new demands. All staff are encouraged to gain additional job-related skills through special study or in-service training.

Professional Growth and Development for Administrators

The board recognizes that training and study for administrators contribute to their skill development necessary to better serve the needs of the school district. Each year the superintendent shall develop an administrative in-service program based upon the needs of the district, as well as the needs of individual administrators.

Cross References:

[5005](#) Employment and Volunteers: Disclosures, Certification Requirements, Assurances and Approval

[5240](#) Evaluation of Staff

Legal References:

[RCW 28A.415.040](#) In-service training act

[WAC 180-85-075](#) Continuing education requirement

[WAC 180-85-200](#) In-service education approval standards

[WAC 392-195](#) In-service training program

[WAC 392-121-255](#) Definition -- Academic credits

[WAC 392-121-257](#) Definition -- In-service credits

[WAC 392-192](#) Professional Growth

[WAC 392-195 School personnel— In-service training program](#)

Management Resources

2011 - December Issue

Classification: Discretionary

Teacher Assistance Program

Continued professional study and in-service training are prerequisites for professional growth and development. The teacher mentor program is established for the purpose of selecting a highly-skilled teacher to provide continued and sustained support to a teacher, both in and outside the classroom. For purposes of this program "beginning teacher" will mean a teacher with fewer than ninety consecutive school days of certificated teaching experience in either a public or private school in any grade, preschool through twelve, and who is employed by the district for ninety consecutive school days or more. "Experienced teacher" means any teacher who exceeds the experience specifications cited above.

The superintendent is directed to establish procedures consistent with rules and regulations promulgated by the Superintendent of Public Instruction. The board of directors will approve of any teacher assistance program prior to submission to SPI. The district reserves the right to modify the program including: the selection process for the participants – beginning, experienced and mentor teachers; the supervisory responsibilities of the mentor teacher; in-service training of beginning, experienced and mentor teachers, when it is to the advantage of the district to expand the program beyond that supported by the state grant.

Cross References: 5203 - Staff Assistance Program

Legal References: WAC 392-196 Teacher assistance program

Adoption Date: 10/26/20
Classification: **Discretionary**
Revised Dates:



**Policy No. 5525
Personnel**

Adoption Date: 7/23/93
Revised: 3/18/96
Revised: 11/26/01
Revised: 1/20/09
Revised: 10/26/20

Professional, Civic, and Service Organization Memberships

Administrative Staff are encouraged to be members of and participate in professional associations that have as their purposes the upgrading of school administration and the continued improvement of education in general.

Administrative Staff are encouraged to be active participants in civic and service organizations in the community. The board of directors believes that the district will benefit from the participation of administrative staff in civic and service organizations in the community because of improved reciprocal understanding and communication between community leaders and district staff. This will lead to increased community support for the schools, school programs that are more responsive to the needs of the community and opportunities for cooperative support of school and community programs.

Membership fees, travel and meal costs attributable to an employee's participation in the following civic and service organizations will be paid by the district, subject to the restrictions of this and other district policies: Kiwanis and Goldendale Chamber of Commerce.

The district will pay for participation in any given civic or service organization for no more than one employee.

No district paid multiple memberships are permitted unless the superintendent finds in writing that specific employees have a difference in perspective that will provide benefit to the district through their participation in the same organization. For instance, principals that represent various schools and attendance areas might all provide benefit to the district by belonging to one community-wide service organization. District payment of membership fees and related costs for participation in civic and service organizations is limited to staff in the following positions: Superintendent and Principal.

The district recognizes that there will be indirect costs attributable to participation in civic and service organizations for employee time. The district encourages full participation in organizations for which it is paying costs, although no employee may act as an officer or take a leadership role in more than one organization for which the district is paying the membership costs. With prior written approval of the superintendent, the district will pay costs related to attendance at meetings related to membership in civic and service organizations covered by this policy, including conventions. The district shall pay no more than \$150 per employee per year for costs related to membership in a civic or service organization covered by this policy.



Policy No. 5525
Personnel

Adoption Date: 7/23/93
Revised: 3/18/96
Revised: 11/26/01
Revised: 1/20/09
Revised: 10/26/20

The superintendent will approve in writing all requests for district-paid memberships in civic and service organizations covered by this policy. By June 1st of each year the superintendent shall submit a written report to the board of directors including the staff and organizations for which membership costs have been paid, the number and circumstances of multiple memberships, the costs attributable to related meetings and the total costs attributable to this policy. Staff may be reimbursed for travel, meal or other appropriate expenditures related to district-paid membership in civic and service organizations pursuant to Policy No. 6213, Reimbursement for Travel Expenses.

Employees for whom the district pays any membership costs in civic and service organizations may not exert influence on other employees to provide financial contributions or other support to the civic or service organization. Neither may they use the civic or service organization as a forum for lobbying in support of or opposition to political or legislative actions, or the promotion of endeavors in which they may have a direct or indirect financial interest or may acquire a personal benefit or gain.

All other employees of the school district are encouraged to be members of civic and/or service organizations however, they will receive no monetary reimbursement or district-paid membership dues and/or fees. Employees participation in the organization may not disrupt the regular work duties however, the indirect costs attributable to participation in civic and service organizations for employee time may be provided with prior written approval of the superintendent.

Classification: Discretionary



Substitute Employment

The board authorizes the employment of a certificated substitute in the absence of a certificated staff member. In addition, the district may use a substitute in place of a regularly-contracted staff member when:

- A. Enrollment uncertainties exist at the beginning of a school year; or
- B. Resignations of regular staff do not allow sufficient time for the district to employ an immediate replacement.

On either of the latter occasions the district will employ a contracted staff person within a reasonable time.

The superintendent will be responsible for establishing procedures by which teachers request substitutes and by which substitute teachers are assigned, employed and compensated.

Substitute teachers who have served for 20 full consecutive working days in the same assignment will, from the 21st day of service on, be paid according to the regular salary schedule of certificated staff.

The board authorizes the employment of a spouse of an officer as a substitute teacher when the superintendent deems that there is a shortage of substitute teachers in the district.

Retired teachers or administrators may work up to eight hundred sixty-seven (867) hours of employment.

If the superintendent reasonably anticipates that the list of qualified, willing substitutes will be exhausted, emergency substitute certification may be sought from the Office of the Superintendent for Public Instruction for persons not fully qualified for a teaching or substitute certificate. Substitutes holding emergency certification may only be assigned work when the list of full-qualified substitutes is exhausted.

The board authorizes the employment of a classified substitute in the absence of a classified staff member when a program will be adversely affected by the regular staff member's absence and when a substitute can perform the duties in a reasonable manner. A classified substitute employee's eligibility to purchase retirement service credit will be determined according to [RCW 41.35](#) and retirement system rules. Substitute classified employee means a classified employee who is employed by the district exclusively as a substitute for an absent employee. The superintendent is authorized to establish



Policy No. 5610
Personnel

Adoption Date: 7/20/87
Revised: 8/16/96
Revised: 11/26/01
Revised: 9/23/02
Revised: 10/26/20

procedures relating to the use of substitute classified staff.

By October 1 of each year, the District will report to the office of the superintendent of public instruction: 1) The number of substitute teachers hired per school year; 2) the number of substitute teachers hired under the expedited certification process for out-of-state teachers; 3) the full daily compensation rate per substitute teacher; and 4) the reason for hiring the substitute teacher.

Cross References:

[Board Policy 1610](#), Conflicts of Interest
[Board Policy 5612](#), Temporary Administrators
[5001 - Hiring of Retired School Employees](#)

Legal References:

[Chapter 28A.300, RCW Superintendent of Public Instruction](#)
[RCW 28A.330.240](#), Employment Contracts
[RCW 28A.400.300](#), Hiring and discharging employees--Leaves for employees--Seniority and leave benefits, retention upon between schools
[RCW 28A.405.900](#), Certain certificated employees exempt from chapter provisions
[RCW 41.32.570](#), Suspension of pension payments--Service as substitute teacher
[RCW 42.23.030\(9\)](#), Interest in contracts prohibited--Exceptions
[RCW 28A.410.010 Certification — Duty of professional educator standards board — Rules — Record check — Lapsed certificates — Superintendent of Public Instruction as administrator](#)
[Chapter 41.35 RCW Washington school employees' retirement system](#)

Management Resources

2016 - July Issue

2011 - August Issue

Policy News, June 2008 Substitute Employment

Policy News, August 2001 Legislature Authorizes “Retire-Rehire”

Classification: Encouraged



Employee Dress Code

DRESS AND PERSONAL GROOMING

The Board of Education believes that no mode of attire will be considered proper for school wear that distracts from or disrupts classroom and school decorum. Employees shall dress as professionals on a daily basis, in business-like attire in order to set a good example for students, co-employees, and the public. Employee dress and grooming shall not detract from the learning/educational environment of students in their classes, school programs or other school related activities

DRESS CODE FOR CUSTODIAL & MAINTENANCE

The Goldendale School District shall project an image that emphasizes the professional services provided to students, staff and the community. It is desirable that these employees be distinguishable from other individuals, authorized or unauthorized, who are located on school grounds, as a safety issue. As such, a uniform look is required, sets, and supports a significant safety standard. Therefore, all employees in the Custodial, Maintenance and Technology Department shall be required to wear a uniform shirt tucked in with the Goldendale School District logo that will be provided by the District. These employees may wear work type and/or denim pants. In addition, the employee must wear appropriate footwear. The maintenance and custodial staff may wear caps when appropriate. Goldendale School District Food Service employees shall project a professional image and comply with all Department of Health regulations. Food Service employees are required to follow the guidelines, including hair net, shoe and apron specifications related to safety or health issues.



Volunteers

The district recognizes the valuable contribution made to the total school program through the volunteer assistance of parents and other citizens. In working with volunteers, district staff will clearly explain the volunteer's responsibility for supervising students in school, on the playground and on field trips. On field trips both students and volunteers are to be informed of the rules of student behavior and the means by which they are to be held accountable to those rules.

The superintendent will be responsible for developing and implementing procedures for the utilization of volunteers. The selection and use of volunteers will be consistent with those policies and procedures as specified for unsupervised volunteers as specified in Policy 5005, Employment: Disclosures, Certification Requirements, Assurances and Approval.

Cross References:

Board Policy 5005 Employment: Disclosures, Certification Requirements, Assurances and Approval

Legal References:

RCW 43.43.830-840 Washington State Criminal Code Records
WAC 446-20-285 Employment — Conviction Records — Child and adult abuse information

Classification: Discretionary



Volunteers

The voluntary help of citizens should be requested by staff through administrative channels for conducting selected activities and/or to serve as resource persons.

Volunteers will:

- A. Serve in the capacity of helpers and not be assigned to roles which require specific professional training. Instructional services will be rendered under the supervision of certificated staff;
- B. Refrain from discussing the performance or actions of a student except with the student's teacher, counselor or principal;
- C. Refer to a regular staff member for final solution of any student problem which arises, whether of an instructional, medical or operational nature;
- D. Receive such information as:
 1. General job responsibilities and limitations;
 2. Information about school facilities, routines and procedures;
 3. Work schedule and place of work; and
 4. Expected relationship to the regular staff;
- E. Be provided appropriate training at the building level, if new volunteers, consistent with their tasks and existing district standards. This training will be developed under the leadership of the principal in consultation with a district supervisor;
- F. Have assignments and activities carefully defined in writing. Examples of suggested duties for volunteers may include:
 1. Bulletin boards;
 2. Preparation of materials for art, science, math classes;
 3. Office support duties
 4. Clean up activities,
 5. Library and audio visual duties;
 6. Assistance with physical education exercises;
 7. Instructional activities appropriate to the volunteer's training and classroom needs such as monitoring math assignments, listening to oral reading and others;
 8. Vision and hearing testing and approved medical surveys;
 9. School activities supervision; and
 10. Playground supervision with a staff member;
- G. Have their services terminated for these and other reasons:
 1. Program and/or duties completed;
 2. Resignation of the volunteer;
 3. Replacement by paid staff member; and
 4. Circumstances which in the judgment of the administration may necessitate asking the volunteer to terminate services.