

ARTICLE 9

BSD Counter 4-13-2022

SAFE LEARNING ENVIRONMENT

The parties agree safety and fostering appropriate student behaviors are important priorities, requiring mutual efforts to ensure a safe learning environment. All staff, including administrators, will share in the responsibility for the well-being of all.

A. Student Conduct Procedures

1. Student Conduct Plan (*used to be Article 9.C*)

Each school shall develop and distribute to all members a plan for how discipline problems student conduct will be handled supported, which includes who is in charge when administrators are unavailable. **Student conduct plans shall encompass provisions for restorative practices, classroom behavior supports for teachers, and the procedure for student removal from class if necessary as outlined in Article 9.A.2.** By June 1, all members in the building will have input into the school conduct plan, with an opportunity to suggest revisions for the following year. Staff will have an opportunity to discuss this plan during pre-service week **and all staff shall be expected to follow the student conduct plan.** This plan will be implemented when students arrive. Plans will follow the template in Appendix H.

2. Imminent Threat (*used to be Article 9.A*)

When, in the judgment of the member, a student's behavior poses an imminent threat to the health, safety or welfare of other students or staff **or rises to the level of** (~~which may include~~ extremely disruptive behavior) requiring immediate action by the member to prevent harm to students and/or staff, the member shall ~~have support as outlined by the student conduct plan~~ be authorized to send the student or students causing the disciplinary problem to the administrator's office or a designated place. ~~for the balance of the class period or, at the elementary schools, until a conference is held as outlined in Section B Article 9.A.3.~~

3. Administrative Support (*used to be Article 9.B*)

~~Administrative support will provide restorative best practices including~~ The student is subject **After a student is sent to an administrator in accordance with A.2**

~~above~~ to reinstatement in the class following a **restorative** conference between the administrator, the student, and/or the parent or guardian (where possible), and the member ~~where possible and appropriate~~ **will be offered scheduled** if requested by either the member or **by** the administrator **upon request of the member**. ~~If the member wishes to have a restorative conference, it will be held prior to the student returning to class.~~ If the member completes a ~~w~~**Written behavioral referrals** to the administrator/designee, the member will **be responded to in** receive written **form** feedback about the action taken within two (2) student contact days of submission.

B. Juvenile Information

When notified by law enforcement or juvenile authorities, ~~the~~ District will **provide** ~~seek to obtain from juvenile authorities available~~ information concerning adjudicated students enrolled in District schools and information about the nature of their offense. School officials will set up procedures so this information will be available, in accordance with the law, to members who have “a need to know” as a result of an assignment to teach or supervise the student.

C. Behavioral Information

Within legal parameters, student 504 plans and IEP’s (including behavioral goals and required behavioral modifications) will be made available as soon as possible to all members assigned to teach students eligible for special education under state and federal law. Members with concerns about students with behavioral or health issues shall contact a building administrator.

D. Behavioral Goals

Student behavioral goals and required modifications, set up by a prior team, may be modified in a team meeting requested by a current member.

E. Consistent Discipline

All schools shall have an annual in-service on the Student-Family Handbook and the school ~~discipline~~ **conduct** plan (section C above). Members with questions about student discipline may contact their administrator.

F.-F. Equitable Policies Taskforce

The Association shall be allowed two (2) seats on the District's Equitable Policies Taskforce. Those members shall be selected and appointed by the Association.

~~G. Behavioral Health and Wellness Cadre~~

~~The Association shall be allowed three (3) seats on the District's Behavioral Health and Wellness Cadre and one (1) seat on the District's Behavioral Health and Wellness Project Team. Those members shall be selected and appointed by the Association.~~

~~G. Restorative Practices~~

~~The District will provide eight (8) hours of professional development time and eight (8) hours of member-directed planning and preparation time for the purposes of implementing a full continuum of restorative practices.~~

ARTICLE 10

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PROFESSIONAL WORKING CONDITIONS

A. Work Day

1. The District and the Association recognize that education involves professional obligations.
2. **Unless specifically provided for elsewhere in this Agreement,** the normal **scheduled** work day for employees shall **not exceed** average eight (8) hours, thirty (30) minutes of which shall be a continuous, duty free lunch period.
3. Employees may be required to participate in no more than three (3) unpaid evening activities beyond the scheduled work day excluding parent-teacher conferences (described in Article 11-B). However, employees shall not be expected to participate in any such activity on their regular day of worship.
4. Each school's yearly activities shall be scheduled after gathering staff input. The administration shall publish those dates in the school's annual calendar.
5. Scheduled beginning and ending times in each building shall be determined by the District. Employees may make reasonable adjustments to their daily and weekly schedule as necessary to accommodate professional obligations (including Association business) and to meet personal need.
6. As a professional courtesy and to ensure the safety and security of students and staff, employees will notify the office when adjusting their schedule. Each building will establish a process for notification.

B. Plan Time

Plan time is time during the regular workday used for individual professional responsibilities. Plan time includes individual, team plan time and meetings. Employees shall normally receive not less than the following minimums for each five-day week:

1. All elementary members of the bargaining unit except those included in B-2 through B-4 below shall receive an average of 675 minutes per week. 450 minutes of this time shall be in blocks of not less than 30 minutes. Planning time shall be in segments of 10 or more consecutive minutes.
2. Elementary teachers with two half-day sessions shall receive an average of 700 minutes per week.
3. Elementary Specialists (Music, Physical Education and Title I teachers, Media Specialists and Itinerants) shall be asked to participate in planning their schedules and shall receive an average of 625 minutes per week, 450 minutes of which shall be in blocks of not less than 30 minutes. Planning time shall be in segments of 10 or more consecutive minutes.
4. Elementary Counselors shall receive an average of 400 minutes per week, **and no less than 200 minutes per week for case management responsibilities.**
5. Middle School and High School members shall receive an average of 600 minutes per week; 225 minutes of this time shall be within the student day in blocks of not less than 30 minutes.
6. Time within the workday voluntarily spent with students or time for which other payment is received shall count toward the required plan time.
7. Resource Room teachers shall receive plan time as provided to classroom teachers at their grade level under Section 10-B. In addition, they shall receive 200 minutes per week for case management responsibilities in blocks of no less than 30 minutes.
8. ~~Self-Contained Special Education teachers~~ **Employees** shall not have **student supervision responsibilities** ~~to be within sight and sound of their students~~ during their plan and lunch times.
9. Employees working less than full-time shall have their average plan time minutes prorated based on their FTE. Employees working half-time or more will have at least one block of no less than 30 minutes per work day.
10. Employees assigned to two or more buildings on the same day will be released from instruction or other duties for the same number of minutes as required in traveling, or shall be paid for travel minutes at their individual hourly rate.

11. Employees shall not be required to attend more than ~~two~~ one hours of staff meetings per month **in no more than two separate meetings.** BEA and BSD agree ~~two~~ one hours of **staff meetings per month** is a limit, not a target. Recommended practice is to use time for staff meetings conservatively in acknowledgement of the many other demands on staff time. Administrators will seek input for the agenda, when possible. Agendas will be distributed in advance.

12. Employees shall not be required to attend more than a yearly average of 2 hours per month of collaboratively established building committee meetings. Recommended practice is to use time for committee meetings conservatively in acknowledgement of the many other demands on staff time. Committees will be established and agreed upon at the beginning of year. Staff shall choose which committee(s) they will participate in.

13. English language development teachers, speech language pathologists, and psychologists shall be asked to participate in planning their schedules and shall receive plan time no less than as provided to classroom teachers at their grade level under Section 10.B.

C. Class Size

1. District Committee

A jointly appointed District Committee with a minimum of six members, co chaired by an Association and District representative, shall meet regularly to review class size and related issues.

- a. The Superintendent and the Association President shall jointly provide direction to the District Committee on an annual basis and not later than October 15 each year.
- b. The District Committee shall prepare an annual report recommending additions and/or modifications in District policy, procedures, and practices.
- c. The District Committee shall develop long range plans, including goals and objectives as well as plans for implementation.
- d. The District Committee shall make recommendations about funding priorities, program modifications through the District's

budget process, and guidelines for class size and class make up. The guidelines will be reviewed regularly and adjusted to improve instruction and to balance the workload of faculty.

- e. The District Committee's recommendations if and when adopted by the District, shall become Board policy or administrative regulation.

2. School Class Size Committee

Each school faculty will nominate and elect employees to serve on a school class size committee to assist the school principal and staff in maintaining equitable class sizes based on numbers of students as well as the makeup of each class **and to assist the District committee in gathering data.**

- a. A **The** District Committee will monitor individual class size and class makeup and assist in resolving problems that are beyond the means and/or authority of school committees.
- b. A **The** District Ad-Hoc Committee will establish guidelines and operating procedures, including the authority and responsibility for all school committees.
- c. The duties and responsibilities of the School Class Size Committee shall be transferred to the school's site council if approved by a vote of staff.

D. Instructional Hours

1. Principals will notify employees of their work schedule, including plan time prior to the start of the school year.
2. Employees may appeal schedules that are out of compliance with the Agreement. Principals in consultation with their supervisors must bring all schedules into compliance with the Agreement.
3. ~~The District and BEA will bargain any future changes in instructional hours.~~
4. ~~Through the life of this contract the District will not increase average student contact time or average instructional minutes at any level (elementary, middle school, high school) beyond the maximum student contact time or instructional minutes of teachers in any building at that level as of 2000-01, unless BEA and Board agree to an increase.~~ The teacher to student contact minutes shall not exceed a yearly average of 315 minutes per

day for elementary members, and 288 minutes per day for middle school and high school members. Current tutorial and study hall minutes shall not be converted to an additional instructional class for teachers.

E. Curriculum / Workload Management

1. On a yearly basis, each school staff shall engage in a process of review of the priorities for that school year. To be considered are such things as new state and federal curriculum/programs, District priorities, school improvement plans, professional development, endorsements, preparation and member workload. The purpose shall be to enable all stakeholders in the school to help manage priorities.
2. A jointly appointed Special Education Committee, co-chaired by a designee of the Association President and the Executive Administrator for Student Services or designee, and comprised of representation from resource room teachers, SLPs, psychologists and specialized program teachers, will meet quarterly to discuss and problem-solve special education topics.
3. The Special Education Department will:
 1. Review the eligibility evaluation workload of SLPs when requested and provide support when available. In the event support is unavailable, the Special Education Department will provide direction as to how the work shall be adjusted so that it can be completed within the regular workday/year.
 2. Review caseloads for psychologists and special education teachers and provide support when available. In the event support is unavailable, the Special Education Department will provide direction as to how the work shall be adjusted so that it can be completed within the regular workday/year
4. Elementary building administrators will work with their kindergarten staff to develop a plan for transitioning students into kindergarten. During the first week of school, two student contact days will be set aside for teachers to conduct kindergarten assessments, followed by one day for half of kindergarten students to attend school and one day for the other half of kindergarten students to attend school.
5. Regular meetings shall be held between representatives of the Association and Teaching and Learning Department administrators to discuss District-level planning for and implementation of curriculum revisions and District-wide program changes and priorities which may have a significant impact on unit members.

6. A jointly appointed District Professional Development Advisory Committee composed of administrators and teachers and co-chaired by the Association President and the Deputy Superintendent/designee shall meet at least monthly to discuss District-level planning for and implementation of curriculum revisions and District-wide program changes and priorities which may have a significant impact on unit members.

7. The District shall annually provide information for members regarding their responsibilities as documented in the reauthorization of Individuals with Disabilities Education Act (IDEA).

8. A building administrator and an association representative will sign off annually that the requirements of Article 9-C, Article 9-G, Article 10-C-2-c, Article 10-E-1 and Article 10-E-7 have been fulfilled. A copy will be provided to the District and the Association. The form can be found in Appendix F.

9. The District shall provide professional educators at the elementary level with District-required student-facing materials in the language of instruction for all subjects that educators are required to teach students. When available, the District shall provide teacher guides in the language of instruction.

ARTICLE 11

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WORK YEAR

A. Normal Work Year Contract Days

1. ~~175~~ **174** student days
2. Five (5) paid holidays (Labor Day, Veterans Day, Thanksgiving Day, Presidents Day, Memorial Day)
3. Three (3) pre-service days. Each fall, prior to the start of the student year, the District and/or school administrator may utilize up to eight (8) of the twenty-four (24) hours for pre-service. The remaining sixteen (16) hours, including one entire workday, will be reserved for individual planning and preparation.
4. Four (4) grading/assessment days are for individual members to grade student work and create report cards. Assessment days are for elementary members to be engaged in assessment activities as determined by each site staff. Appropriate activities are scoring, inputting scores, collecting, scoring and recording work samples, or communicating with parents about assessment.

5. Eight (8) staff workday/professional development days, two (2) of which are scheduled before the student school year. One (1) will be on the October state in-service day (may be taken off-site with prior approval of the administration). These days shall be scheduled as a combination of administrator-directed professional development and collaboration (four consecutive hours including lunch) and member-directed work time (four consecutive hours). Administrator-directed professional development shall be planned in collaboration with the staff, taking into consideration individual, team, building and District needs.

~~5.—Three (3) professional development days, one (1) of which is scheduled before the student school year. These days shall be scheduled as a combination of administrator directed professional development and collaboration (four consecutive hours including lunch) and member directed work time (four consecutive hours). Administrator directed professional development shall be planned in~~

~~collaboration with the staff, taking into consideration individual, team, building and District needs.~~

~~6. Two (2) professional development days devoted to restorative practices, in accordance with Article 9. One shall be scheduled before the student school year, and one shall be scheduled immediately following Winter Break. These days shall be scheduled as a combination of administrator directed professional development and collaboration (four consecutive hours including lunch) and member directed planning and preparation time for the purposes of implementing a full continuum of restorative practices (four consecutive hours).~~

~~6.7. Three (3) staff workdays. One (1) of these days shall be scheduled before the student school year and one (1) will be on the October state in-service day (may be taken off site with prior approval of the administration). These days shall be scheduled as a combination of administrator directed professional development and collaboration (four consecutive hours including lunch) and member directed work time (four consecutive hours). Administrator directed professional development shall be planned in collaboration with the staff, taking into consideration individual, team, building and District needs.~~

~~7. Each May, BEA and the District shall evaluate how well the new language stated above is working. The BEA shall bring to the attention of the District any specific areas where the language is not being followed. The District and the BEA will work collaboratively to develop and implement a remedy. If the parties are unable to agree on a remedy the contract shall revert to the previous language.~~

B. Parent-Teacher Conference

1. Elementary and Middle School - Teachers shall participate in parent conferencing as scheduled by the District. No more than two (2) conference days in the fall nor two (2) conference days in the spring will be scheduled. At least two (2) hours of student-free conference preparation time shall be included in the schedule for every day of scheduled conferencing.
2. Each high school may schedule up to three (3) nights for parent contact/conferences (Unless release time is given, these three (3) nights would be included in the three unpaid nights in Article 10-A-3).

3. Conference Work Week Maximum – In no case shall the combination of regular workday time and conferences exceed twelve (12) consecutive hours per day and forty (40) hours per week.
4. No staff meetings or required committee meetings will be held during conference week.

C. Emergency Closure

1. If the District closes due to inclement weather or other emergencies, there will be no deduction of sick or personal time off leave **(Article 15.A and B herein) with the exception of those who are on long-term leave extended leave, which shall be defined as an approved leave of more than ten (10) consecutive work days.**
2. In the event inclement weather or other emergency closures prevent the District from meeting required instructional hours set by ODE, the days will be made up to ensure compliance.
3. **The District shall notify the Association and bargain upon demand in accordance with ORS 243.698 prior to initiating remote learning on inclement weather days.**