

**Executive Limitation 3.C  
Treatment of Faculty/Staff/Volunteers**

To: Board of Education

From: Dr. Chris Fiedler, Superintendent of Schools

Re: Expectations of the Board Report – 3.C Treatment of Faculty/Staff/Volunteers

I hereby present my expectations of the board report on our Treatment of Faculty/Staff/Volunteers, Executive Limitation 3.C, in accordance with the monitoring schedule as set forth in Board policy. I certify the information in this report is true.

Signed:

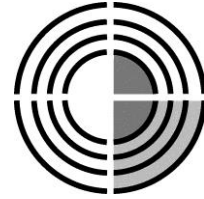


Date: January 27, 2015

Superintendent, School District 27J



COLORADO SCHOOL DISTRICT 27J  
GOVERNING POLICY OF  
THE BOARD OF EDUCATION



**Policy 3.C – TREATMENT OF FACULTY/STAFF/  
VOLUNTEERS**

*Date Adopted/Last Revised: January 27, 2009*

*Management Limitations*

**With respect to the treatment of faculty, staff and volunteers, the Superintendent will not cause or allow conditions that are unclear, unfair, unsafe, untimely, undignified or unnecessarily intrusive.**

*I interpret faculty as all persons with an appointment to the faculty with authorization granted by a statutory authority CRS §22-32-109(f) (I). The faculty consists of any person that holds a license or letter of authorization issued by the Colorado Department of Education.*

*I interpret staff as employees who perform a service under an express or implied agreement and who do not have control, or the right to control, over the manner and means of performing the services.*

*I interpret volunteers as people who perform acts for the benefit of a public entity at its request, who do not receive remuneration for their time and who are subject to its control. CRS §24-10-103(4)(a).*

*I interpret conditions as not creating personnel policies that are discriminatory or and not tolerating work environments that are hostile for our employees.*

*I interpret unclear as policies not being presented in an easy-to-understand manner.*

*I interpret unfair as any fraudulent, deceptive, or dishonest organizational practice that is prohibited by statute, regulation, or that would be considered as disparate treatment from previous practices.*

*I interpret unsafe as physical safety and how our work environments are free from harm, and how staff feels about being exposed to a threatening situation in their work environment.*

*I interpret untimely as a manner in which information presented conflicts with the need of the end user.*

*I interpret undignified as not respecting our employees and volunteers and not treating them in a professional manner.*

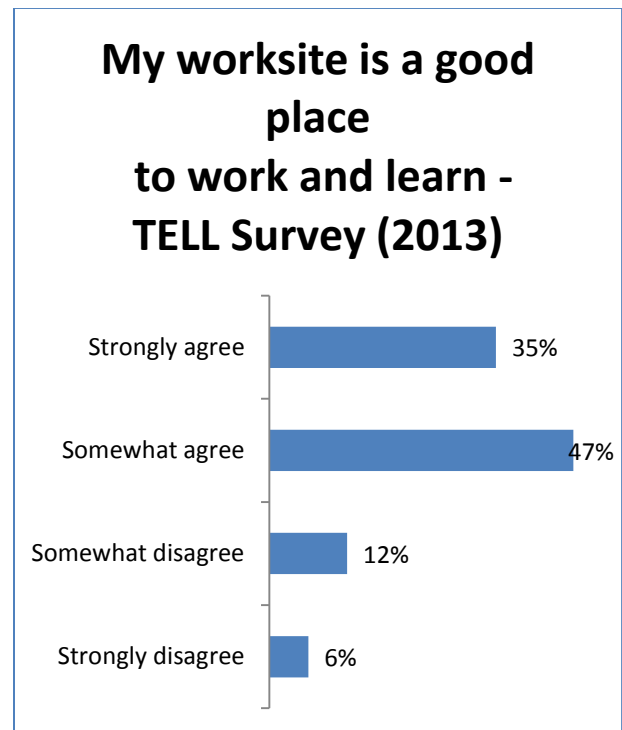
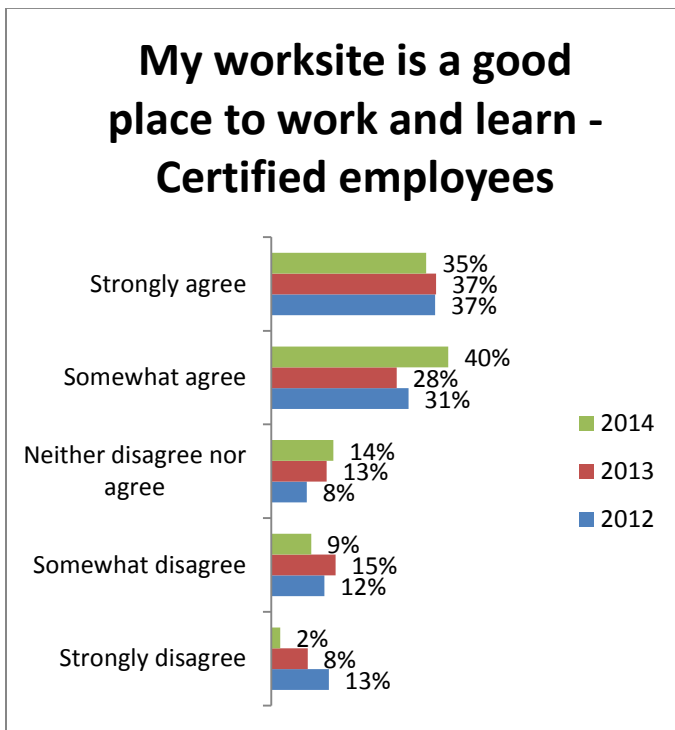
*I interpret unnecessarily intrusive as probing into the personal life of an employee or volunteer without just cause. Reasonableness would encompass workplace monitoring, internet privacy, data collection, and other means of gathering information.*

## Data Reported

Multiple data sources indicate that School District 27J faculty, staff, and volunteers are generally satisfied with their working conditions in the District.

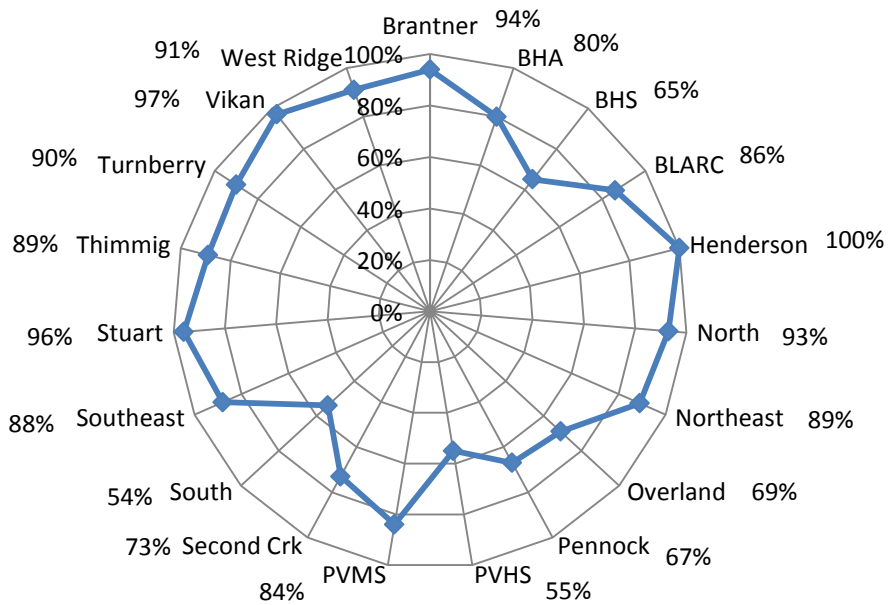
A state-wide survey of all certified school employees called the TELL survey is administered in odd-numbered years. The latest survey was conducted in February of 2013, and the district administered a climate survey to all staff in November 2014. These surveys have been designed to protect respondents from being identified, securing anonymity and alleviating any fear of reprisal for those expressing their views.

In response to the TELL Survey, 82% of certified staff (703 total respondents) agreed that their worksite was a good place to learn and work. In response to our internal survey, 75% (254 total respondents) agreed with this statement. In both cases, this number is above the national average of 39% of teachers who report being satisfied with their work as reported in the MetLife Survey of the American Teacher, February 2013, which can be found at <http://files.eric.ed.gov/fulltext/ED542202.pdf>.



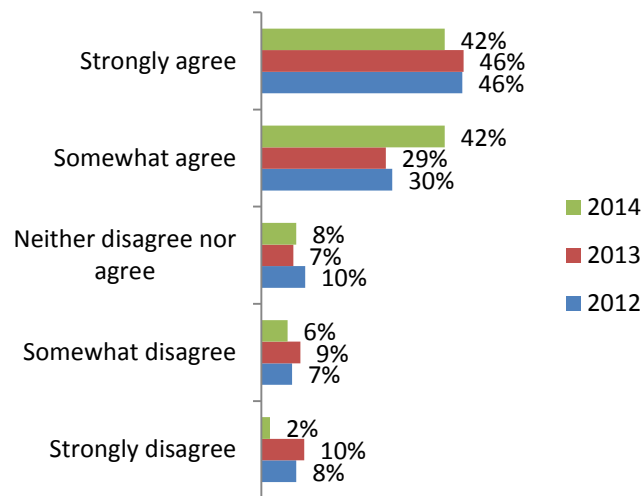
The following is the compilation of “somewhat agree” or “strongly agree” TELL responses at each school.

## My worksite is a good place to work and learn - TELL Survey (2013)

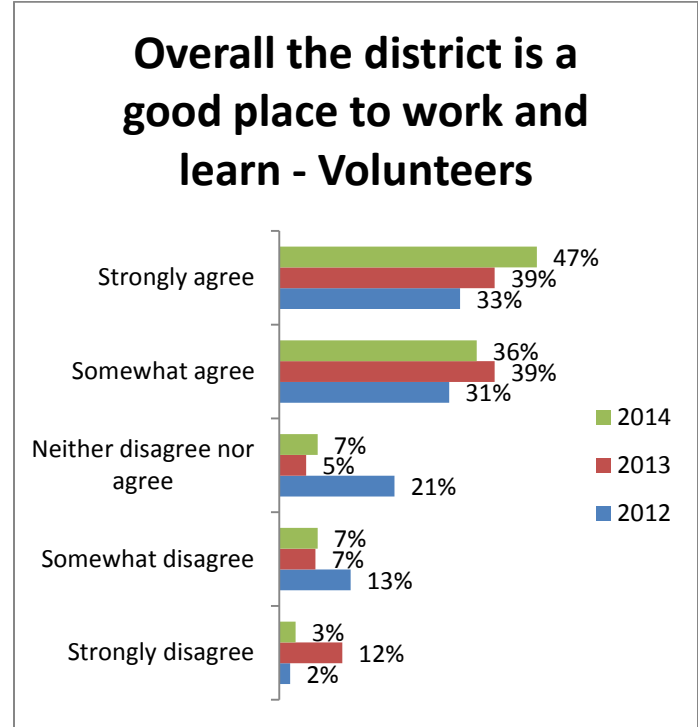
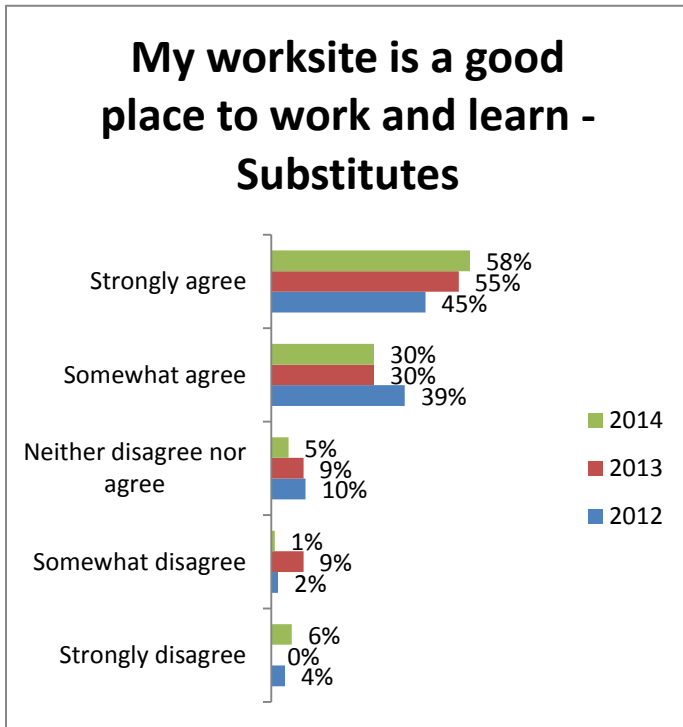


Eighty-four percent of classified staff (183 total respondents) agree with the statement that their work site is a good place to work and learn.

## My worksite is a good place to work and learn - Classified employees



Eighty-eight percent of substitute staff (66 total respondents) somewhat or strongly agree with the statement that their work site is a good place to work and learn, while 83% of volunteer staff (117 respondents) somewhat or strongly agree with the statement. This represents a significant increase for both these groups over the past year's satisfaction.



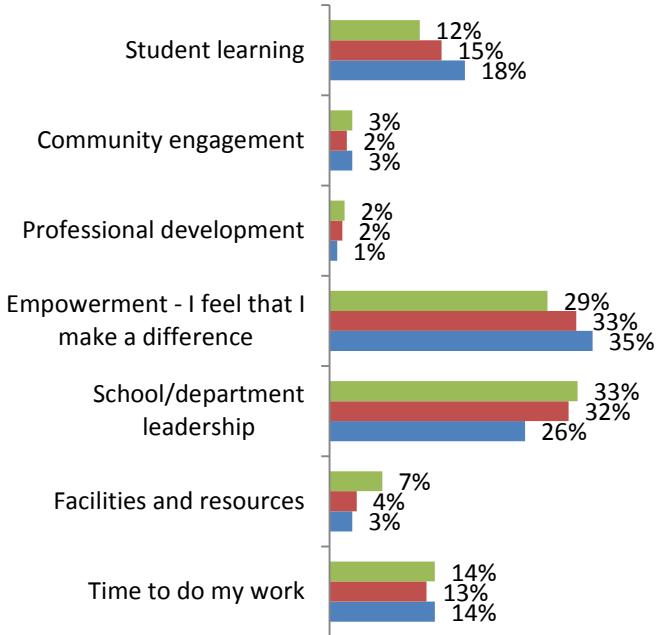
A feeling of empowerment and school/department leadership were identified by both certified and classified groups as the leading reasons for satisfaction with their current assignment. Time to do work and student learning were cited as strong contributing factors to job satisfaction for both groups.

Our substitute employees cited school leadership as a significant contributor to their satisfaction, but they were most motivated by affecting student learning/progress.

As with our substitutes, volunteers felt their satisfaction was most closely tied to a feeling of contributing to student learning/progress.

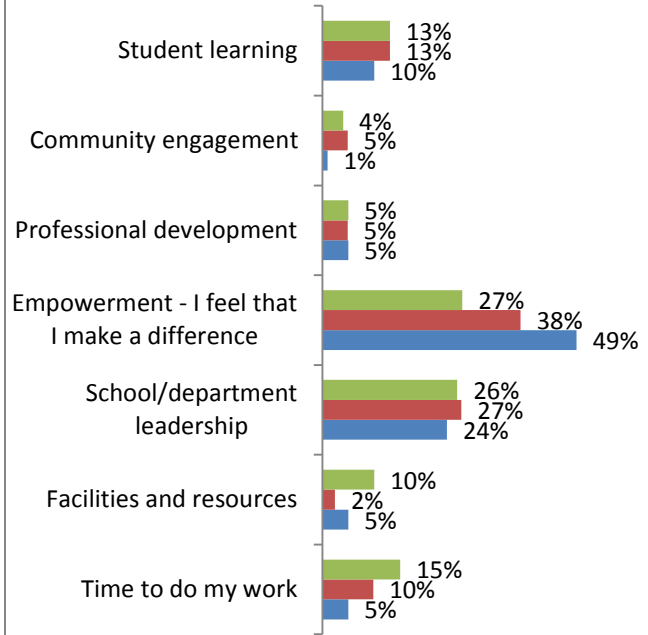
### Factors affecting job satisfaction - Certified employees

2014  
2013  
2012



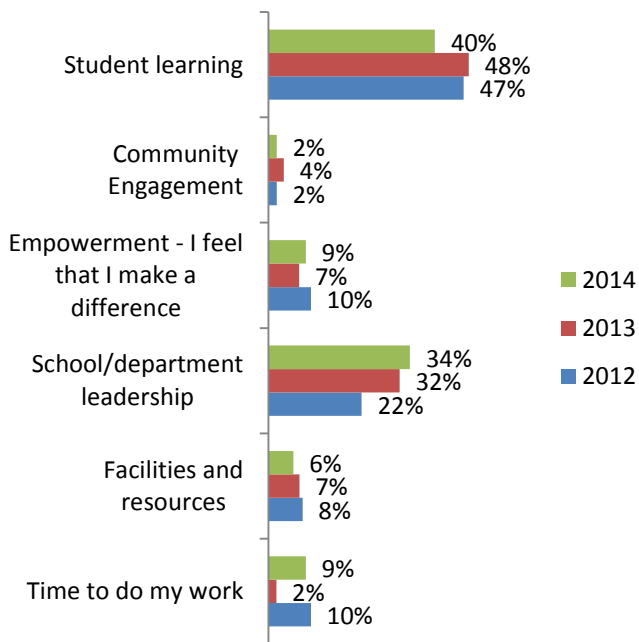
### Factors affecting job satisfaction - Classified employees

2014  
2013  
2012



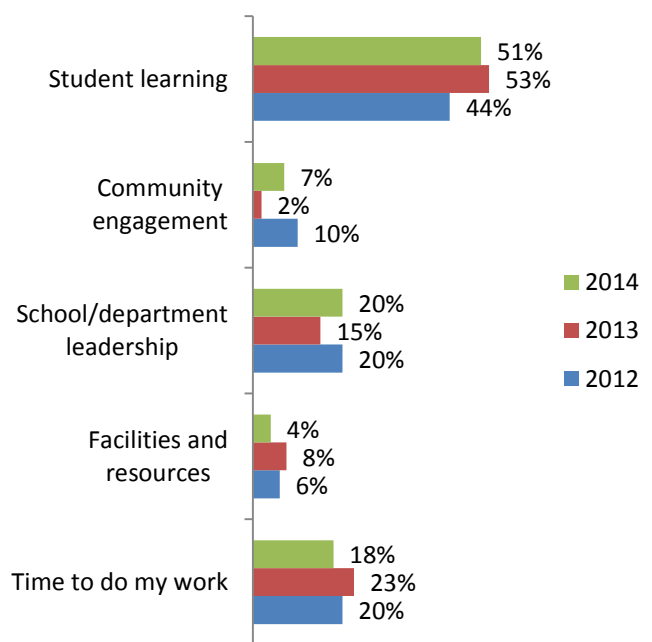
### Factors affecting job satisfaction - Substitutes

2014  
2013  
2012



### Factors affecting job satisfaction - Volunteers

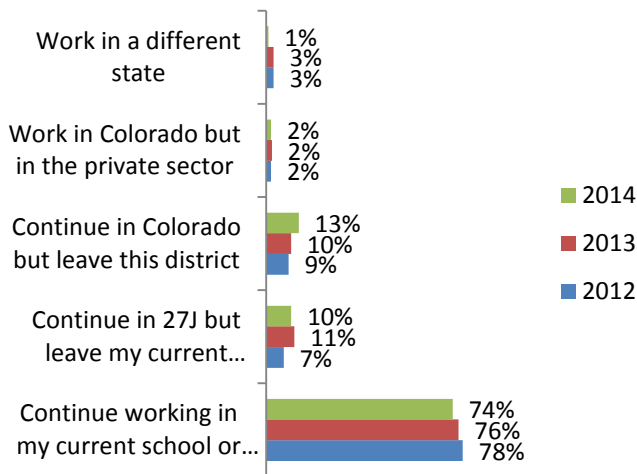
2014  
2013  
2012



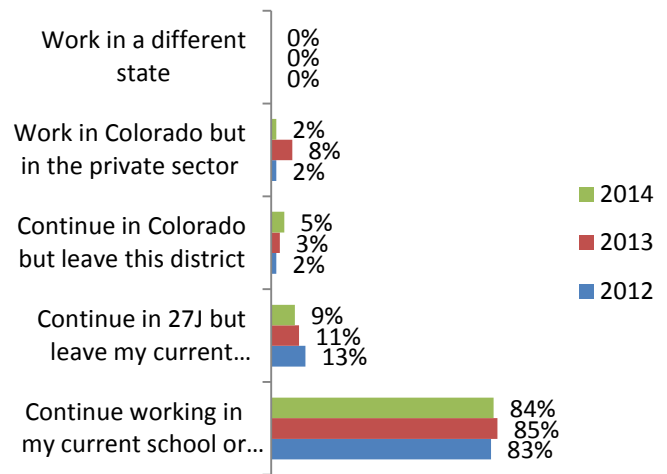
As part of our internal survey, all employee groups and volunteers were asked about their future work plans. The results of the survey show that 84% of certified staff and 93% of classified staff hope to remain employed with the District. Seventy-four percent of certified and 84% of classified staff plans to remain employed in the district at their current job location(s).

Of substitutes, 97% hope to remain working within the District, and 96% of volunteers hope to continue volunteering here. Eighty percent of substitutes and 93% of volunteers plan to remain working or volunteering at their current job location(s).

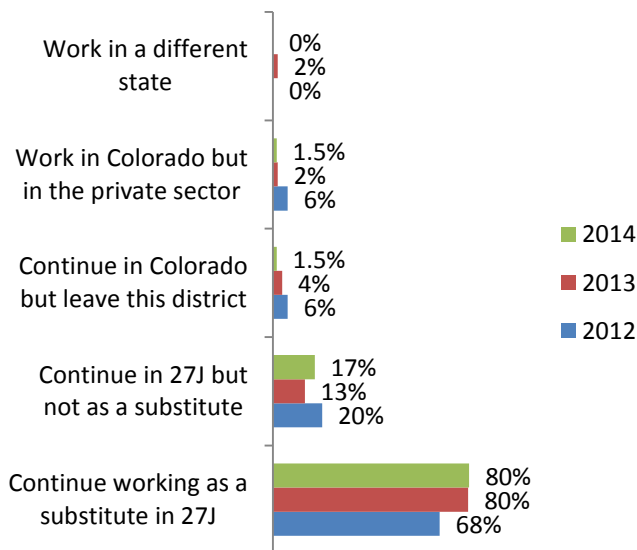
### Career Plans - Certified Employees



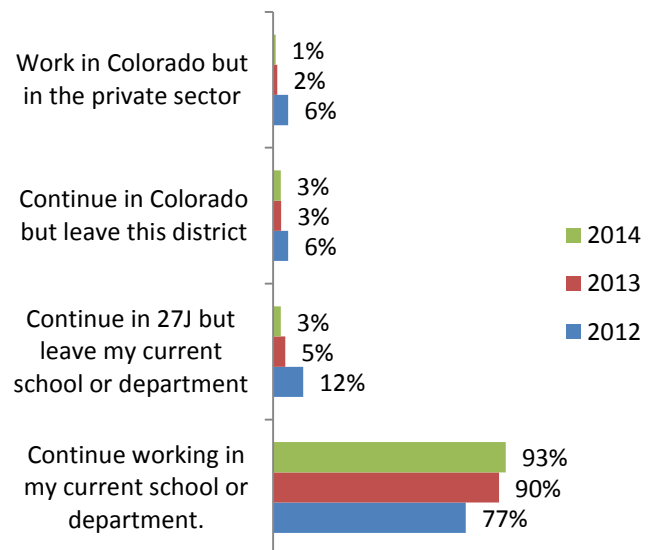
### Career Plans - Classified Employees



### Career Plans - Substitutes

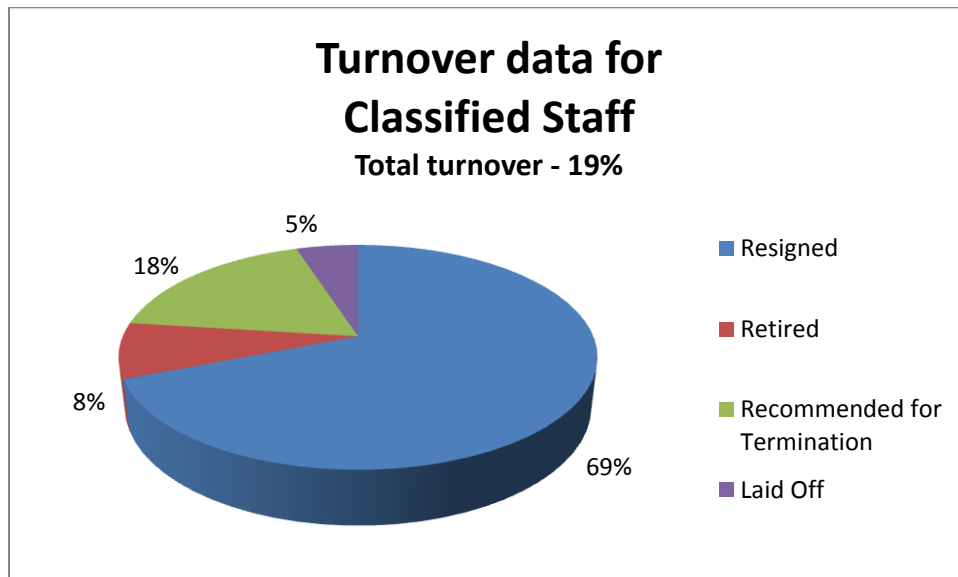
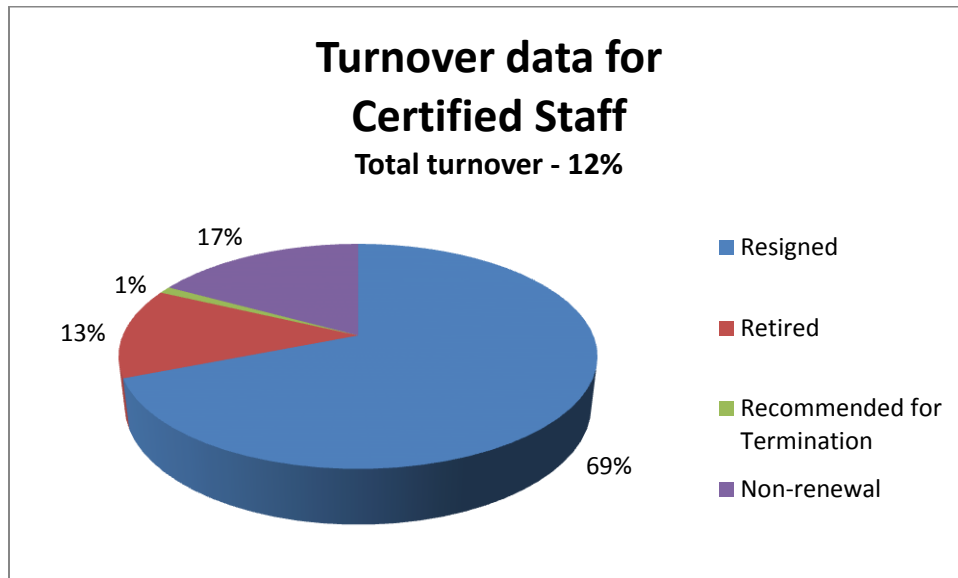


### Career Plans - Volunteers



An additional source of satisfaction data is employee turnover rate. Our employee retention data indicates that over the past three years we have experienced approximately a 16% turnover in total staff. Teacher turnover rate for 27J in 2012-13 was 12%, as compared to 8% nationally as reported by the National Center for Education Statistics, *The Condition of Education 2011: Teacher Turnover: Stayers, Leavers and Movers*.

### Reasons Employees Left School District 27J in 2014



As the charts above illustrate, of the employees who left the District in 2014, 77% of classified employees and 82% of certified employees left of their own volition through resignations and retirements.

Finally, exit surveys are given to staff who leave the district voluntarily. Of those who left the District by choice, 62% reported feeling satisfied with their experience in the District.



Additionally, 100% of evaluations were completed during the 2013-2014 school year, providing employees with annual feedback.

Multiple data sources indicate that our faculty, staff, and volunteers are generally satisfied in the District, and it is therefore reasonable to infer that they do not feel that they have been treated in a manner that is unclear, unfair, untimely, undignified or unnecessarily intrusive. As for safety, the District and the Colorado Department of Education track and background check all 1867 employees and 1016 volunteers who work in the District.

**Conclusion: I report compliance.**

Pertaining to faculty and staff, the Superintendent will not:

1. Operate without ensuring faculty and staff members are provided with written personnel policies, approved by legal counsel, which clarify personnel rules for faculty and staff, provide for effective handling of grievances, and protect against wrongful conditions.
  - a) Faculty and staff may not be uninformed of this policy, and the Superintendent's interpretations of their protections under this policy.

*I interpret faculty and staff as those employees who have entered into an express contract governing the employment relationship, and those who are covered under a union collective bargaining agreement.*

*I interpret provided with written personnel policies to be that the employee has knowledge of and access to Board of Education and Superintendent of Schools policies that affect their employment.*

**Data Reported**

General Counsel reports that Superintendent Policy, Section G – Personnel, is available to all staff at their respective work sites as well as on the District web page. In addition, paper copies of the Master Agreements for certified and classified employees are distributed to each work site annually. These agreements are posted internally on the District's shared drive, which is accessible by all employees. Superintendent Policy, Section G - Personnel, as well as all other sections, are reviewed on an ongoing basis through the District's Policy Council.

This Policy Council was established by the Superintendent in School Year 2008-09 and is currently chaired by General Counsel. Policy Council is made up of representatives from the certified, classified, and administrative employee groups and among them are representatives from elementary, middle, high school, and support services. Policy changes, additions, or deletions go before this group and they, in turn, make recommendations to the Superintendent. This process enables any and all policies that come before the Policy Council to be reviewed by staff and reviewed and approved by both legal counsel as well as the Superintendent of Schools prior to changes being made.

The grievance process is outlined in the certified and classified master agreements, as well as in Superintendent Policy, Section G - Personnel, and allows for a clearly defined process to be followed in the event of grievances.

The one-year administrator contract indicates that due process is to be followed when disputes arise. All four documents are models of best practice in education and business settings.

Protection against harmful working conditions can be found in Superintendent Policy, Sections E and F, which include Safety and Security and Facility Development. In addition, Superintendent Policy, Section G - Personnel, protects against harmful working conditions in areas such as the hiring and evaluation process.

Human Resources provided a written executive summary to all Administrators and Supervisors on Master Agreement contract changes in late July each year once the Master Agreement was ratified. Future changes will be disseminated in a similar manner.

Master Agreement language and policy changes have been updated on our shared drive and on the website as well as amended in the version that is on file with the Colorado Department of Education.

### **Conclusion: I report compliance**

Pertaining to faculty and staff, the Superintendent will not:

2. Retaliate against any faculty or staff member for non-disruptive, internal expression of dissent, or for reporting to management or to the Board of Education (per the grievance process in the personnel manual) acts or omissions by faculty, staff or the Board of Education that the employee believes, in good faith and based on credible information, constitutes a violation of state or federal law or a governing policy of the Board.
  - a) Faculty and staff members may not be prevented from grieving to the Board when (i) internal grievance procedures have been exhausted and (ii) the employee alleges that Board policy has been violated.

*I interpret retaliate to be an adverse action taken in response to a protected activity of an employee within the realm of his/her professional responsibilities.*

*I interpret personnel manual as those Board of Education and Superintendent of School policies that dictate specific areas of responsibility on behalf of both the organization as well as the employee.*

*I interpret acts or omissions by faculty, staff or the Board of Education that the employee believes, in good faith and based on credible information, constitutes a violation of state or federal law or a governing policy of the Board as standards and procedures that are reasonably capable of reducing the prospect of criminal conduct by employees or persons associated with School District 27J.*

### **Data Reported**

Our Master Agreements detail clearly defined grievance procedures. Supervisors are trained on grievance and due process procedures on an annual basis as a part of pre-service trainings. When issues arise, meetings are facilitated by Human Resources staff with our administrative employees to hear and resolve due process issues. There have been zero allegations during this reporting cycle that the grievance process is not being followed. There were no appeals to the Superintendent and/or the Board of Education regarding violations of due process.

As impermissible as it is to restrict a district employee's right to speak on a matter of public concern, it is equally impermissible to retaliate against that employee when he or she does so. With over 1,800 regular employees, over the course of the past twelve months there have been no grievances filed by any employee, as provided by Superintendent Policies, as well as the Master Agreements, with regards to retaliation in the workplace.

During School Year 2013-14, there have been zero reported incidents to the Board, the Superintendent, BEA, or CCSEA by employees expressing a fear of reprisal for stating their views in a non-disruptive manner.

### Personnel Rules

Frequently collective bargaining agreements contain specific timelines and other requirements that are more burdensome than statutory requirements. Below is a list of current policies that are in place. These provide a consistent internal process that, in the best interests of both the employee and the employer, ensure legitimate treatment of employees. These policies are compliant with state and federal statutes.

#### Master Agreements

GBAA	Sexual Harassment
GBEA/GBEB	Staff Conflicts of Interest and Ethics
GBEBA	Staff Dress Code
GBEC	Drug Free Work Place
GBECA	Controlled Substance and Alcohol Testing
GBGB	Employee Protection
GBGD	Worker's Compensation
GCC	Employee Leaves and Absences
GCCB	Arrangement for Professional Staff Substitutes
GCH	Professional Staff Induction Program
GCL	Professional Staff Schedules and Calendars
GCM	Professional Staff Workload
GCOA	Evaluation of Instructional Staff
GCQF	Suspension/Dismissal of Professional Staff Members
GDO	Evaluation of Support Staff
GDQD	Suspension/Dismissal of Classified Staff Members

### Grievance Procedures

#### Master Agreements

GBKE-1	Classified Level 1 Grievance
GBK-2-E	Level 1 Grievance
GBK-2-E	Level 2 Grievance
GBK-2-E	Level 3 Grievance

### Wrongful Conditions

#### Master Agreements

FA	Facilities Development
EB	Safety Program

EBAB	Hazardous Materials
EBB	Accident Prevention Safety
EBBA	Prevention Disease Infection
EBBB-R	Accident Reports
EBCA	Disaster Plan
EBCA-1	Emergency Plans
EBCB-R	Fire Drills
EBCC	Bomb Threats
EBCE-R	Delay of Closing – Emergency School Closing – Delay Start Schedule
ECA	Building and Ground Security
ECAC	Vandalism
ECB	Buildings and Ground Maintenance
EEAE	School Bus Safety Program
EI	Insurance Management
EIB	Liability Insurance

We do not currently have a specific “whistle blower” policy in place that directly relates to not allowing retaliation. However, a number of policies contain language that prohibits retaliation for reporting potentially dangerous or offensive actions.

**Conclusion: I report compliance**

The Superintendent shall not:

3. Allow faculty, staff and volunteers to be unprepared to deal with emergency situations.

*I interpret unprepared to deal with emergency situations as not possessing knowledge of professional responsibilities and/or knowledge of the information necessary to protect the health and safety of students or other individuals in the event of unpredictable or unavoidable occurrences.*

**Data Reported**

**Faculty and Staff**

All personnel in schools participate in emergency drills for all hazards, including evacuation, shelter, lockout and lockdown. Schools should conduct not only monthly fire drills, but a Shelter for Hazmat drill in the fall, a Shelter for Tornado drill in the spring, and Lockout and Lockdown drills each semester. State Fire allows two fire drills to be replaced with All Hazard drills.

During Leadership Meetings in August, a large tabletop exercise was held with school administrators and other District Leadership participants. The emergency managers from Brighton and Commerce City assisted with organizing and facilitating the exercise. School groups (including Charters) and district staff (in either an emergency operations or policy group) were challenged with an industrial toxic gas release scenario.

All eighteen schools were joined by Belle Creek and Bromley East Charter Schools for the 5<sup>th</sup> Annual All School Drill on October 28. This year, schools conducted tabletop exercises with their School Safety Teams, which include Administrators, Secretaries, Health Paras, Head Custodians, and other designated staff.

Community partners from the Colorado School Safety Resource Center; the Brighton, Commerce City and Thornton Police Departments; Brighton Fire Rescue; South Adams County Fire District; and the Brighton, Thornton and Adams County Offices of Emergency Management participated in the tabletops at various schools. Each site was given a unique emergency scenario to address, and schools were asked to include parent and guardians as observers.

Principals are responsible for ensuring that all staff members in their schools receive site-specific training presentations at the beginning of each school year. Presentations were updated by the Emergency Response and Crisis Specialist this fall. The Adams County Youth Initiative published the updated Adams County School Emergency Plan, which incorporated updates from review committees that included school districts and emergency response agencies. School District 27J continues to participate in these meetings and all schools have copies of the county plan in their emergency binders. The Transportation Department has its own training staff for bus drivers, and safety is an important part of their training effort.

Planning and training for parent reunification after an incident has received emphasis in Colorado over the last year. Several schools sent staff to a regional training on the topic that was sponsored by the *I Love U Guys Foundation* in March, 2014. The Emergency Response and Crisis Specialist conducted a training session for the 27J District Reunification Support Team in December, and a second session will be scheduled in the near future. This training has also been presented to School Resource Officers and their supervisors.

Lab safety training received attention after a number of injury incidents in schools occurred (including a serious injury incident in Colorado) involving flammable liquids use in experiments. The National Chemical Safety Board, tasked with investigating industrial incidents, issued a safety warning and provided a safety video for use in schools. The Emergency Response and Crisis Specialist created a lab safety training presentation for school Chemical Hygiene Officers to present to their science teams. The Chemical Hygiene Plans prepared for each school are being updated and include safety information for training students and teachers.

All school custodians attended a summer safety training that included live fire extinguisher training with the Brighton Fire District, and training presentations on security, snow removal and asbestos compliance.

With the implementation of controlled entry systems at schools, training was provided to school secretaries in July on system operation and protocols, and incorporation with Raptor security screening for school visitors.

The District is complying with requirements of the School Safety Act, Colorado Revised Statute 22-32-109.1(4) (4) "School response framework - school safety, readiness, and incident management plan." Progress is being tracked in a district action plan. Training is an important element of the regulations, requiring "key emergency school personnel, including but not limited to safety teams and backups, to complete courses provided by FEMA. More than 150 employees, including School Safety Team members, have completed FEMA's online Incident Command Training module for schools. With many staff changes this school year, there are approximately 50 School Safety Team members that need to complete the Incident Command module.

Personnel receive practical experience in using incident command during drills and exercises. Incident Action Plans are prepared and implemented jointly with agencies for graduations, the Superintendent's Cup football game, 5<sup>th</sup> Grade Track Day and other activities (one was prepared for the COMOM Dental Clinic held at Prairie High School in October).

Adams County BOCES provides districts with SafeSchools, an online training and compliance management system specifically designed for schools that contains many emergency and safety courses, including a module on the emergency protocols consistent with the Adams County School Emergency Plan that was prepared with the assistance of 27J. The Human Resources Department is assigning some modules to classified new hires, and the system is available for broader use by the district.

Security training for the Board of Education was conducted in August, including the video “Run, Hide, Fight.” Workplace violence training for the ESC and other district office employees was last provided in 2012 and new sessions are still pending for these locations.

All 27J school sites, including charters, and the swimming pool have automated external defibrillators (AEDs). At least 10 employees per site are CPR/AED/First Aid certified. Each clinic was also provided with a set of training pads that convert the school AED into a training unit. Staff is tracking training to ensure that designated school employees are current in CPR, AED and First Aid training, including health paraprofessionals, office backups to the health paras, head custodians, special education teachers and paras (for students with significant support needs), and high school coaches. 27J is now contracting RNs as district school nurses, and the new team is updating training with health paras at all locations, and providing certification classes for designated employees. Transportation has its own trainer.

Information on many safety topics will again be available to 27J students, family members and staff at the 27J Wellness Fair on January 24<sup>th</sup> at Vikan Middle School from 9:00 a.m. to noon.

## **Volunteers**

The training of volunteers is a responsibility left to each school. A 27J volunteer training presentation has been made available to schools in English and Spanish in a narrated video format, and reminders were sent to schools at the beginning of the school year to ensure their Volunteers were shown the presentation.

## **Future Efforts**

Work continues on the development of a district Emergency Operations Plan, and an Emergency Operations Center (EOC), and there will be associated training for district level employees designated for EOC staffing. The Emergency Response and Crisis Specialist attended FEMA training sessions presented regionally that updated school emergency operation planning and provided guidance on preparation of such plans.

The Emergency Response and Crisis Specialist plans to work with the Substitute Coordinator to develop training materials specifically for substitute teachers in the district. Orienting subs to school protocols has been left to schools, but more consistent and thorough emergency preparedness training can be provided during their orientation sessions since protocols are more consistently implemented by schools across the district.

Strong partnerships continue with law enforcement, fire, city and county emergency management staffs, emergency medical services, Safe2Tell and the Colorado School Safety Resource Center at both the school and district level.

**Conclusion: I report compliance.**