

OE-4 PERSONNEL ADMINISTRATION
SUMMARY OF COMPLIANCE STATUS
SEPTEMBER 2020

SUPERINTENDENT CERTIFICATION

With respect to OE-4 *Personnel Administration* taken as a whole, the superintendent certifies that the proceeding information is accurate and complete, and the district is:

- In Compliance
 In Compliance, with Exception (as noted in the evidence)
 Not in Compliance

Summary Statement by Administration

Monitoring of operational expectations policies is part of the ongoing process of district performance evaluation and superintendent evaluation. This report addresses 24 indicators of the superintendent's responsibility regarding general operations. Of the 24 indicators, 23 demonstrated in compliance and one was not in compliance. Reporting dates for this report are July 1, 2019 – June 30, 2020.

Signed:  Date: 9/14/2020
Superintendent

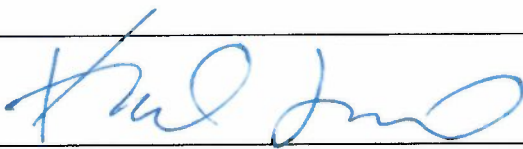
SCHOOL BOARD ACTION

With respect to OE-4 *Personnel Administration*, the Board:

- Accepts the report as fully compliant
 Accepts the report as compliant with noted exceptions
 Finds the district to be noncompliant

Summary statement/motion of the Board

Motion by Mr. Lee to accept the OE-4 *Personnel Administration* Monitoring Report as In Compliance, with Exception, seconded by Mr. Eastgate. Motion carried.

Signed:  Date: 9/14/2020
Board President

OE-4 Personnel Administration

The Superintendent shall assure the recruitment, employment, development, evaluation and compensation of district employees in a manner necessary to enable the district to achieve its *Results* policies.

Superintendent Interpretation:

- **Recruitment** shall mean attract and select the most talented and diversified pool of candidates.
- **Employment** shall mean work defined by the District for anyone who receives monetary compensation for services rendered.
- **Development** shall mean providing staff with mentoring, coaching, and/or training that positively impacts student achievement and professional growth.
- **Evaluation** shall mean a fair, credible, effective, and consistent system and process that assesses the effectiveness of the employee and provides support and feedback to facilitate continuous improvement and growth.
- **Compensation** shall mean providing competitive and flexible salary placement and benefits to attract new and retain current employees.
- **District employee** means anyone who receives compensation in exchange for services.
- The Board's **Results** policy is defined in R-1.

The Superintendent Shall:

4.1 Assure that no person is employed by the district without first clearing thorough background inquiries and checks.	In Compliance
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Superintendent Interpretation: BPS works to hire the best possible candidate for each position. To this end, BPS will avoid hiring an individual who did less than satisfactory work in a previous position or who has a criminal history of serious concern.

- **Background inquiries and checks** BPS will probe multiple sources to undergo extensive background checks, as time and expense allows, using a consistent standard for each classification of employee. In addition, employment eligibility prior to hiring will be determined through the following, as appropriate for the position: Background Information Services, Inc. (BISI) results, North Dakota Department of Public Instruction (ND DPI), North Dakota Bureau of Criminal Investigation (BCI) credential and licensing verifications, reference checks, and verification.

Indicator 1: Each newly hired employee will successfully clear her or his background check prior to the first day of work with BPS.	In Compliance
Evidence: 100% of newly hired employees successfully cleared background checks.	

Employee Type	Background Checks Completed	Hire Declined
Administrators	0	0
Teachers	67 (online only)	0
Professional Staff	11	0
Support Staff	235	10
Substitute/Other	220	5
Total	533	15

Indicator 2: The internal control processes verify that all employees hired between July and June of the fiscal year have successfully cleared all background checks according to the level of risk exposure in their employment classification, based on EEOC guidelines.	In Compliance
Evidence: 100% of new employees successfully cleared background checks according to the level of risk exposure in their classification of employment with BPS.	

The Superintendent Shall:

4.2 Assure that no volunteer has unsupervised contact with students without first clearing reasonable background inquiries and checks.	In Compliance
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Superintendent Interpretation: BPS needs and values the work provided by volunteers. BPS shall make all reasonable efforts to check for any criminal activity in the volunteer’s past to protect our students and staff.

- **Reasonable background inquiries and checks** shall mean a professional background check results and fingerprinting prior to allowing a person to volunteer.
- **Contact** shall mean any opportunity a volunteer has to be with students under the direction of district personnel.

Indicator 1: No person will fill a volunteer position as defined in Volunteer Policy KAAB without first satisfactorily passing a background check.	In Compliance
Evidence: A completed volunteer form is on file at the District Office for all volunteers. 100% of volunteer applicants have successfully cleared all background checks.	

Background Type	Passed	Decline
Volunteers	345	0

The Superintendent Shall:

4.3 Select only highly qualified and the best-suited candidates for all positions.	In Compliance
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Superintendent Interpretation: The Board is interested in building the best quality staff and adding value to the team using procedures in Policies CAAB “Hiring Administrative Staff,” DBAC “Recruitment, Hiring, and Background Checks for New Instructional Personnel,” and DBAA “Recruitment, Hiring, and Background Checks for New Classified Personnel.”

- **Best-suited** shall mean the candidate selected for any position in the District meets or exceeds the minimum criteria of the position and the expectations of the hiring committee, director/principal, and/or Superintendent in order to find the best match possible for the team and for the particular role.
- **Highly qualified** shall mean the candidate has the appropriate levels of experience, education, license, credential or certification needed for the position as well as completion of successful interview process, which may include a performance interview.

Indicator 1: All classified staff, teachers, principals, and administrators hired met the baseline qualifications for their positions or had the proper waiver.	In Compliance
Evidence: 100% of classified staff, principals and administrators hired have met the baseline qualifications for their positions. All teachers hired, 100% met the definition of highly qualified as defined by the ND Department of Public Instruction upon hire.	

The Superintendent Shall:

4.4 Administer clear personnel rules and procedures for employees.	In Compliance
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Superintendent Interpretation: Clear rules and procedures, including what is expected of employees, how they will be evaluated, how they will know if their work is below expectations, and what the consequences will be are important in building a quality work force.

- **Administer** shall mean to supervise or oversee that personnel rules and procedures are followed.
- **Clear** shall mean personnel rules and procedures are communicated in writing.
- **Rules and procedures** shall mean the applicable laws, Board, and District policies that communicate the employment expectations for all District personnel.

Indicator 1: All employees have digital or paper access to the Negotiated Agreements, employee handbooks and required policies, required federal and state notices, and emergency flip charts, as the position requires.	In Compliance
Evidence: All BPS employees have access to the BPS website, TalentEd Records and iVisions. All agreements, employee handbooks and required policies are available to them. 100% of teachers and administrators are required to acknowledge receipt of Negotiated Agreements	

and Handbooks annually. 100% of Support Staff are required to acknowledge receipt of the handbook annually. 100% of all employees are required to complete review of the required policies, Safety Program and Notices of Federal Regulations within the Learn BPS program. 100% fully completed the policy review requirement.

<p>Indicator 2: Within 30 days of signing contracts or the beginning of the new school year or within two weeks of accepting employment, all District employees have signed and returned to Human Resources an acknowledgement form to affirm they received updated policies the District is legally required to provide to staff annually.</p>	<p>In Compliance</p>
<p>Evidence: Required documents sent to new hires through TalentEd Records, 100% of all staff hired have completed all requirements for document review.</p>	

The Superintendent Shall:

<p>4.5 Effectively handle complaints and concerns.</p>	<p>In Compliance</p>
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Superintendent Interpretation: An effective process for handling complaints and concerns is important.

- **Effectively handle** shall mean investigate promptly, accurately with consideration and professionalism. However, “effectively” does not necessarily mean complainants will always be pleased with the complaint’s resolution.
- **Complaints and concerns** shall mean grievances or questions related to sexual harassment, discrimination claims, contractual violations, Board and District policies and procedures, and possible violations of state and federal laws.

<p>Indicator 1: 100% of known complaints and grievances are resolved or handled in accordance with policy and Negotiated Agreements, as applicable.</p>	<p>In Compliance</p>
<p>Evidence: Bismarck Public Schools follows policy and negotiated agreement to address any complaints and grievances.</p>	

The Superintendent Shall:

<p>4.6 Maintain adequate job descriptions for all staff positions.</p>	<p>In Compliance</p>
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Superintendent Interpretation: Employees and employers benefit from job descriptions that are well-designed and clearly written for each category of position and each unique position. Job descriptions are necessary for recruitment, hiring, developed, and evaluation.

- **Maintain** shall mean to keep current and accurate.
- **Adequate** shall mean job descriptions reflect the minimum qualifications, essential functions, knowledge, skills, and abilities of the responsibilities and tasks performed.

<p>Indicator 1: 100% of job descriptions will be available to employees and for use by administrators during the hiring and evaluation processes.</p>	<p>In Compliance</p>
<p>Evidence: All job descriptions are posted and available to all employees and administrators on the BPS website. Job descriptions are included in the posting of open positions. In the 2017-18 fiscal year, EMS (Employment Management Services conducted a review of job descriptions for Administration, Teacher, Professional and Support staff. Updated job</p>	

descriptions were developed along with any reclassification and salary adjustments were made accordingly.

The Superintendent Shall:

4.7 Protect confidential information.	In Compliance
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Superintendent Interpretation: Central Office, as keepers of personnel information, must have uncompromising ethical principles and follow legal requirement for securing and protecting personnel files and information in the office setting as well as more informal settings.

- **Protect** shall mean to secure, keep safe, and preserve employee confidential information.
- **Confidential** shall mean access to employee information follows federal and state law, including Health Insurance Portability and Accountability Act (HIPAA).

Indicator 1: During the fiscal year, there has been zero reports of a breach of confidential information by District staff.	In Compliance
Evidence: Zero report of a breach of confidential information by District staff had been reported.	

Indicator 2: Any report of a breach of confidentiality by a staff member has been thoroughly investigated and appropriate action taken.	In Compliance
Evidence: Zero report of a breach of confidential information by a staff member had been reported.	

The Superintendent Shall:

4.8 Assure that compensation and benefit plans attract and retain the highest quality employees by compensating employees, within available resources, in a manner consistent with the applicable marketplace, including but not limited to organizations of comparable size and type.	In Compliance, with Exception
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Superintendent Interpretation: The Human Resources Department will advise the Superintendent who shall advise the Board of appropriate compensation for employee groups, given the marketplace and projected revenue. Periodic studies of comparability should be conducted.

- **Competitive** shall mean the District offers are as good as or better than others of a comparable nature.
- **A compensation plan** shall mean District salaries and benefits are commensurate with or higher than equivalent positions when compared to similar school districts.
- **Highest quality** in terms of attracting applicants shall mean a candidate who meets the criteria of the position and the expectations of the hiring committee, supervising administrator, or Superintendent.
- **Highest quality** in terms of retention of employees shall mean those who are evaluated as effective or higher based on the District’s evaluation criteria.

Indicator 1: Salaries and benefits will be negotiated for teachers and administrators, with efforts to maintain a competitive stance in the marketplace, given affordability due to budget.	In Compliance
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Evidence: The salary and benefit negotiations process completed in 2019, resulted in total compensation and benefit increases of 2% for 2019-20 and 2.25% for the 2020-21 school year. Health insurance benefit increase of 8% of District sponsored Single Plus Dependent(s).

Indicator 2: Salaries and benefits will be adjusted for support staff and professional support staff through consultation, with efforts to maintain a competitive stance in the marketplace, given affordability due to budget.	In Compliance
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Evidence: Subsequent study by the administration, considering budget impact, issues of internal equity among employees, and Board consideration/approval, had resulted in total compensation and benefit increases of 2% for 2019-20 and 2.25% for 2020-21 school year. Health insurance benefit increase of 8% of District sponsored Single Plus Dependent(s).

Indicator 3: A periodic review of market study data will be conducted for specific employee classes when appropriate, agreed upon, and possible within the budget.	In Compliance
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Evidence: A comprehensive salary and benefits study, conducted by EMS (Employment Management Services), was completed in 2017. Elements of the study included job analysis, job description revisions, market salary comparison, internal salary relationships and salary range reconstruction. A new salary structure was adopted, consisting of a system of salary steps based on the job analysis factors of responsibility, technical complexity, decision-making, and degree of autonomy. The adoption of the new system resulted in developing a 21 Step (SA-SR), 15 Lane salary schedule. In 2017-18 employees were placed on the new schedule closest to their current rate of pay, no less. All employees were allowed to move over one lane for the 2019-20 year and again for the 2020-21 school year.

Indicator 4: Turnover in teaching and administrative staff is 5 percent or lower, annually, except for retirement and leave due to family moving out of the area.	In Compliance
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Evidence: Teaching and administrative staff turnover rate has met the requirement of 5 percent or lower.

Indicator 5: Turnover in support staff is 5 percent or lower, annually except for retirement and leave due to family moving out of the area.	Not in Compliance
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Evidence: Support staff 19% (169) resigned for other reasons than retirement or moving out of the area. Total of 14% responded to exit survey with reasons being other than retirement/relocating: 24% Better employment opportunity; 38% Dissatisfied with position, hours and/or benefit costs, ineligible for benefits; 38% Other, stay home, returning to school

The Superintendent Shall:

4.9 Consistent with the Superintendent’s own evaluation, evaluate all employee performance according to their contribution toward achieving the Board’s <i>Results</i> policies and their compliance with the Board’s <i>Operational Expectations</i> policies.	In Compliance
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Superintendent Interpretation: The Board requires that all employee performance is evaluated in relation to the Board’s strategic results and compliance with the Board’s Operational Expectations policies.

- **Consistent with the Superintendent’s own evaluation** shall mean that employee evaluations will be aligned with the Superintendent’s evaluation, Student Achievement results and Operational Expectations compliance.
- **Evaluate** shall mean assessing the degree to which employee performance is meeting the District’s expectations and standards for performance as well as any state requirements and then providing employee feedback, goal setting, and coaching.
- **Achieving** shall mean that the employee performance contributes to accomplishing the Board’s goals.
- **Compliance** shall mean District employees are assessed pursuant to the appropriate evaluation.

<p>Indicator 1: All teachers are expected to analyze student achievement data and, with the assistance of their principal, determine annual goals for professional growth to best impact student achievement of the academic and social emotional curriculum.</p>	<p>In Compliance</p>
<p>Evidence: Throughout the evaluation process all teachers must respond to the following questions linking their evaluation to student performance.</p> <p>Critical Attributes:</p> <ol style="list-style-type: none"> 1. My school, professional development and student achievement goal(s) are (Include who/what/where/how/when)? 2. What evidence/results show the impact on student growth? 3. Based on the evidence and student growth, my next steps for continued professional growth are? 4. What have I achieved (reflection)? <p>Governors Executive Order 2020-24 suspending operation of NDCC 15.1-15-01 (2) relating to school district’s obligation to conduct a written performance review for every teacher, principal and assistant or associate superintendent employed for more than 3 years. Written performance reviews were conducted for teacher’s, principal’s and assistant or associate superintendents employed less than 3 years.</p> <p>The teacher evaluation reporting to DPI was suspended for the 2019-2020 school year.</p>	

<p>Indicator 2: All professional support staff are expected to analyze district needs and, with the assistance of their supervisor, determine annual goals for professional growth to best impact the District’s needs.</p>	<p>In Compliance</p>
<ol style="list-style-type: none"> 1. My school, professional development and student achievement goal(s) are (Include who/what/where/how/when)? 2. What evidence/results show the impact on student growth? 3. Based on the evidence and student growth, my next steps for continued professional growth are? 4. What have I achieved (reflection)? <p>Due to school closure on March 17, 2020 and transitioning to distance learning, professional staff written performance reviews were suspended for the 2019-2020 school year.</p>	

<p>Indicator 3: All principals are expected to analyze student achievement data and, with the assistance of their assistant superintendent, determine annual goals for professional growth for themselves and their staff to best impact student achievement of the academic and social emotional curriculum.</p>	<p>In Compliance</p>
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Evidence: Governors Executive Order 2020-24 suspending operation of NDCC 15.1-15-01 (2) relating to school district’s obligation to conduct a written performance review for every teacher, principal and assistant or associate superintendent employed for more than 3 years. Written performance reviews were conducted for teacher’s, principal’s and assistant or associate superintendents employed less than 3 years.

<p>Indicator 4: All district level administrators are expected to combine performance and department goals / objectives into an operational plan aligned to the Operational Expectations policies.</p>	<p>In Compliance</p>
<p>Evidence: Governors Executive Order 2020-24 suspending operation of NDCC 15.1-15-01 (2) relating to school district’s obligation to conduct a written performance review for every teacher, principal and assistant or associate superintendent employed for more than 3 years. Written performance reviews were conducted for teacher’s, principal’s and assistant or associate superintendents employed less than 3 years.</p>	

<p>Indicator 5: All support staff are responsible for supporting the District’s daily work and instructional programs and are evaluated at least annually.</p>	<p>In Compliance</p>
<p>Evidence: Due to school closure on March 17, 2020 and transitioning to distance learning, support staff written performance reviews were suspended for the 2019-2020 school year.</p>	

The Superintendent Shall:

<p>4.10 The Board is committed to hiring highly qualified staff that adds sustained value to the BPS team. This includes hiring the most qualified staff for each position and ensuring staff engage in high quality staff development.</p>	<p>In Compliance</p>
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Superintendent Interpretation: The Board requires that all employee performance is evaluated in relation to the Board’s strategic results and compliance with the Board’s Operational Expectations policies.

- **Highly qualified** shall mean the candidate has the appropriate levels of experience, education, license, credential, or certification needed for the position as well as completion of successful interview process, which may include a performance interview.

<p>Indicator 1: All classified staff, teachers, principals, and administrators hired met the baseline qualifications for their positions or had the proper waiver.</p>	<p>In Compliance</p>
<p>Evidence: 100% of all staff hired met the baseline qualification for the positions hired and all required documentation has been provided.</p>	

<p>Indicator 2: The district will implement a staff development management system. This system will provide a professional development platform to document alignment, choice, and analytics that will monitor and guide staff performance, development, and growth.</p>	<p>In Compliance</p>
<p>Evidence: Bismarck Public Schools has acquired Unified Talent Performance Matters as the staff development management system to document alignment, choice, and analytics that will monitor and guide staff performance, development, and growth.</p>	

The Master Teacher Paraeducator training system recently acquired in development of an Instructional Aide training program within BPS.

The Superintendent Shall:

<p>4.11 The Board is committed to a culture of collaboration and inclusion where all employees are treated with dignity and respect as all work collectively to meet the needs of the organization.</p>	<p>In Compliance</p>
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Superintendent Interpretation: The Board is committed to a culture of collaboration and inclusion where all employees are treated with dignity and respect as all work collectively to meet the needs of the organization.

- **Inclusion** shall mean valuing people for who they are, nurturing our diversity, and embracing the contributions of all students, families, and staff.

<p>Indicator 1: 100% of known complaints and grievances are resolved or handled in accordance with policy and Negotiated Agreements, as applicable.</p>	<p>In Compliance</p>
<p>Evidence: Bismarck Public Schools follows policy and negotiated agreement to address any complaints and grievances.</p>	

The Superintendent Shall:

<p>4.12 The Board is committed to ensuring all staff are free of reprisal for filing legitimate complaints or grievances. Administrative Policy KACB Complaints About Personnel documents the process.</p>	<p>In Compliance</p>
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Superintendent Interpretation: The Board is committed to a culture of collaboration and inclusion where all employees are treated with dignity and respect as all work collectively to meet the needs of the organization.

- **Legitimate** shall reference applicable laws, Bismarck Public Schools’ Coherent Governance Policies, Bismarck Public Schools’ Administrative Policy, and established Bismarck Public Schools’ practices.
- **Reprisal/Retaliation** shall mean seeking undue or negative consequences against an individual.

<p>Indicator 1: 100% of known complaints and grievances are resolved or handled in accordance with policy and Negotiated Agreements, as applicable.</p>	<p>In Compliance</p>
<p>Evidence: Bismarck Public Schools follows policy and negotiated agreement to address any complaints and grievances. BPS administrative policy KACB <i>Complaints About Personnel</i>; AAC <i>Nondiscrimination and Anti-Harassment</i>; ACF <i>Whistleblower Protections Prohibition Against Retaliation</i>.</p>	

Capacity Building

Input by Administration

<p>4.8 Assure that compensation and benefit plans attract and retain the highest quality employees by compensating employees, within available resources, in a manner consistent with the applicable marketplace, including but not limited to organizations of comparable size and type.</p>	
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<p>Indicator 5: Turnover in professional support staff and secretarial and custodial support staff is 5 percent or lower annually except for retirement and leave due to family moving out of the area.</p>	
<p>Evidence:</p>	

<p>Indicator 6: Turnover in instructional aide and child nutrition support staff is 30 percent or lower annually except for retirement and leave due to family moving out of the area.</p>	
<p>Evidence:</p>	

Rationale: The District is competitive in salary and benefits in comparison to our demographic area. With majority of instructional aide and child nutrition support staff positions being 9-month positions, with varied job shift hours, and year-to-year fluctuation in aide allocation hours, meeting compliance of 5% or less is challenging. In addition, BPS will hire teaching staff that may be currently employed as instructional aides, which causes a turnover in this job category.