

Section III - Personnel

Article A - Authority of the Board

III-A-1 Legal Reference

The provisions of the Education Article of the Annotated Code of Maryland and the Code of Maryland Regulations (COMAR) for the Maryland State Board of Education shall govern the Worcester County Board of Education in matters pertaining to teachers and other personnel employed.

III-A-2 Appointment and Administration of Professional Personnel

The Superintendent shall nominate for appointment by the Board of Education all professional assistants of the office of the Superintendent and all principals, teachers, and other certificated personnel. As to these personnel, the Superintendent shall:

- A. Assign them to their positions in schools;
- B. Transfer them as the needs of the school require;
- C. Recommend them for promotion; and
- D. Suspend them for cause and recommend them for dismissal in accordance with the Education Article of the Annotated Code of Maryland.

III-A-3 Appointment of Noncertificated Personnel

The Superintendent shall appoint noncertificated personnel with the advice and consent of the Board of Education.

III-A-4 Certification, Compensation and Tenure

An individual may not be appointed to a professional position unless the person holds or is eligible for the appropriate certificate from the State Superintendent. The tenure and compensation of each appointee shall be determined by the Board of Education.

REV. 10/01  
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REV. 10/01  
REV. 10/05

POL. III-A-1  
POL. III-A-2  
POL. III-A-3  
POL. III-A-4

III-A-5 Organizations of Employees

The provisions of the Maryland Public School Laws shall govern the Board of Education in matters pertaining to the formation and recognition of employee bargaining units and the negotiations procedures employed. Public employees may join such organizations for the purpose of being represented on all matters that relate to salaries, wages, hours, and other working conditions.

Article B - Master Negotiated Agreement

III-B-1 Recognition

In accordance with the Education Article of the Annotated Code of Maryland, the Board of Education recognizes the Worcester County Teacher's Association for purposes of negotiations as the exclusive representative of a unit consisting of all certificated professional employees of the Worcester County Board of Education excluding the Superintendent, Assistant Superintendents, and temporary employees as defined in the Agreement, and the Board of Education recognizes the Worcester County Support Personnel Association to represent for the purposes of negotiations as the exclusive representative of a unit consisting of support personnel as defined by the Board of Education.

III-B-2 The Negotiated Agreement - Policy Status

Upon ratification by the Board of Education, the provisions of the Negotiated Agreement will have the full force of official Board of Education policy and shall remain in effect during the terms of the contract. Should the contract expire at the conclusion of the current contract period, the Board reserves the right to either continue, alter, or rescind these policy statements.

III-B-3 Negotiated Agreement and Board of Education Policy

The Master Negotiated agreement shall have the force of official Board of Education policy.

REV. 10/01  
REV. 11/05  
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REV. 10/01  
REV. 10/05

POL. III-B-1  
POL. III-B-2  
POL. III-B-3

III-C-1 Annual Leave and Holidays - Twelve-Month A & S and Secretarial Personnel

A. Number of Days Earned

Annual leave for twelve-month employees shall be earned at the rate of one and one-half days per month from July 1 through June 30 of each fiscal year for a total of eighteen days.

B. Normal Use With Exceptions

Twelve-month employees shall normally take annual leave during the summer following the year in which it is earned. Exceptions may be made by the immediate supervisor if the needs of the school system and/or the employee can best be served by distributing part of the leave throughout the year.

Employees shall schedule leave days in advance with their supervisor. Changes in scheduled days of leave must be mutually agreed upon by the employee and supervisor. The minimum amount of leave an employee may schedule at any time is one-half day.

Twelve-month employees will be required to work a maximum of three days per year when schools are closed for vacation periods in excess of five school days (i.e., Christmas holidays, spring break) or take annual leave. The Superintendent shall schedule employee work and leave days in a manner that will ensure that enough personnel are on duty to keep the Central Office open for business during the foregoing school vacation periods.

C. Authorization for Using Leave

All leave requests must be approved by the employee's immediate supervisor using the official form designated for this purpose.

Leave for twelve-month school based personnel shall be approved by the principal.

Leave for all principals shall be approved by the Superintendent.

Leave for all twelve-month Central Office employees shall be approved by the Superintendent or designee.

D. Carry-Over of Unused Days

All twelve-month employees are strongly urged to use the eighteen days of annual leave allocated each fiscal year. However, in cases where this is not possible, an employee who has unused annual leave at the end of any fiscal year (June 30) may carry over a maximum of eight days of such unused leave to give the employee a maximum of twenty-six days at the beginning of any fiscal year.

Unused annual leave which would be lost because of this limitation on carry-over shall be converted to accumulated sick leave.

No more than twenty consecutive days of annual leave may be taken and this may be done only during the summer months. Exceptions must be approved in advance by the Superintendent.

E. Use for Summer School

A twelve-month employee may use annual leave to attend summer school with the approval of the immediate supervisor. One-half of a day shall be charged against annual leave for each day in summer school. An employee who attended a six-week summer school session shall have no less than five days of vacation with pay.

F. Notification of Days Accumulated

The Superintendent shall inform twelve-month employees of the amount of annual leave they have accumulated once a year (July 1). The record maintained in the Superintendent's office shall be the official record. Principals shall maintain the leave record for school based twelve-month personnel, but will file a leave report with the Superintendent no later than June 30 of each fiscal year.

G. Payment for Unused Leave

All twelve-month employees who leave the employment of the Board shall be reimbursed for accumulated annual leave in accordance with their per diem salary at the time of separation. The maximum number of days of annual leave for which any employee may be paid upon separation is twenty days.

H. Holidays

Personnel covered by this policy shall have the following holidays not charged to annual leave:

- Independence Day
- Labor Day
- MSTA Convention
- Thanksgiving Holidays
- Christmas Eve and Christmas Day\*
- New Year's Eve and New Year's Day\*
- Martin Luther King Day
- Presidents' Day
- Good Friday and Easter Monday
- Memorial Day

\* Plus days in excess of the three required work days per year during extended school vacations specified in the approved school calendar.

### III-C-2 Family and Medical Leave Act of 1993 (FMLA)

#### I. General Policy

- A. Each eligible employee will be granted family and/or medical (FMLA) leave of absence without pay for up to twelve (12) weeks during any twelve (12) month period.
- B. The twelve (12) month period for FMLA leaves shall be defined to begin on July 1, and end on June 30.
- C. An eligible employee is one who has been employed with the Worcester County Public Schools for at least 12 months in total, and for at least 1,250 hours of service during the 12 months prior to the commencement of his or her leave.

#### II. FMLA leave will be granted for one or more of the following reasons:

- A. For the birth of the employee's child in order to care for the child;
- B. For the adoption of a child or the placement of a foster child with the employee;
- C. To care for a sick spouse, child, or parent who has a serious health condition; or
- D. Due to the employee's own serious health condition that renders the employee incapable of performing the functions of his/her job.

All leave taken for one or more of these qualifying events will count against the 12-week FMLA allotment.

#### III. Scope

- A. An employee may use any or all of his or her accumulated paid annual leave or sick leave if allowable for purposes of family and/or medical leave, prior to using his or her unpaid leave; however, in no event shall such leave exceed an aggregate of twelve (12) weeks in any twelve (12) month period (July 1 through June 30).
- B. In any case in which both spouses who are employed with the Worcester County Public Schools are entitled to family and/or medical leave, the aggregate number of work weeks of leave to which both are entitled to is limited to 12 work weeks during any 12-month period (rather than 12 weeks each) for the birth or adoption of a child or for the care of a sick parent.

#### IV. Conditions of Leave

- A. Written medical certification is required to support an employee's claim for FMLA leave for a serious health condition or to care for a seriously ill child, spouse, or parent. Certification must include the date on which the serious health condition commenced; the probable duration of the condition; and the appropriate medical facts within the knowledge of the health care provider regarding the condition.
- B. In the case of the employee's own serious health condition, a written medical certification that the employee is unable to perform the functions of his or her position must be provided. The Superintendent, at his discretion, may require a second medical opinion and periodic recertifications, at Board expense. If the first and second medical opinions differ, the Superintendent may require, at Board expense, the opinion of a third health care provider, jointly approved by the Worcester County Public Schools and the employee. The opinion of the third health care provider will be final and binding.
- C. If medically necessary for a serious health condition of the employee or his or her spouse, child or parent, FMLA leave may be taken on an intermittent or reduced leave schedule. The employee must submit in writing to the Supervisor of Human Resource, the dates and duration of the treatment and a statement about the medical necessity. If the FMLA leave is foreseeable based on planned medical treatment, the Superintendent may require the employee to temporarily transfer to an alternative position, with the equivalent pay and benefits, which better accommodates recurring periods of absence or a part-time schedule.

#### V. Notice and Report Requirements

- A. The employee has a duty to make a reasonable effort to schedule treatment so as not to unduly disrupt the operations of the school (or department), subject to the approval of the health care provider of the employee or the health care provider of the son, daughter, spouse, or parent of the employee, as appropriate.
- B. The employee shall provide the Worcester County Public Schools with not less than a 30-day notice before the date FMLA leave is to begin, except if such treatment requires FMLA leave to begin in less than 30 days, then the employee shall provide such notice as soon as practicable. In cases of illness, the employee is required to report periodically on his or her leave status and intention to return to work.
- C. In cases where FMLA leave is taken because of the birth of a child, adoption or placement of a child for foster care and the FMLA leave is foreseeable, the employee shall provide the Worcester County Public Schools with not less than a 30-day notice before the date the leave is to begin, except that if the date of birth or placement requires leave to begin in less than 30 days, the employee shall provide notice as soon as practicable.

VI. Retention of Employee Benefits During Leave

- A. Any eligible employee who takes FMLA leave shall be entitled, on return from such leave, to be restored to the employee's position of employment held prior to the commencement of leave, or to an equivalent position with equivalent employment benefits, pay and other conditions of employment. The taking of leave will not result in the loss of any benefits accrued prior to the date the leave commenced.
- B. The employee will not accrue any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken FMLA leave unless there is a contract provision or Board policy so requiring.
- C. As a condition of the restoration of employee benefits, an employee who takes FMLA leave because of his or her own serious health conditions must receive certification from the health care provider of the employee that the employee is able to resume work.
- D. Determinations regarding the restoration of employment shall be made by the Superintendent.
- E. The Worcester County Public Schools will maintain FMLA health care coverage under its group health plan to an employee who is granted an approved FMLA leave of absence at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such FMLA leave. If the employee elects not to return to work after completing his or her FMLA leave, the Worcester County Public Schools may recover from the employee the cost of any premium payments made to maintain the employee's coverage.

VII. Procedures

- A. A request for family and/or medical leave of absence must be written, signed by the employee, submitted to the Supervisor of Human Resources and approved by the Superintendent.
- B. All requests for FMLA leave of absence due to illness must include sufficient medical certification stating: (a) the date on which the serious health condition began; (b) the probable duration of the condition; and (c) the appropriate medical facts within the knowledge of the health care provider regarding the condition.
- C. The certificate for a request for FMLA leave to care for a child, spouse, or parent should give an estimate of the amount of time that an employee is needed to provide such care and a statement that the eligible employee is needed to care for the son, daughter, spouse, or parent.
- D. If the FMLA leave is due to the employee's own illness, the certificate must state that the employee is unable to perform the functions of his or her position.

VIII. Provisions Applicable to Employees in an Instructional Capacity

The following provisions apply to employees who are employed principally in an instructional capacity by the Worcester County Public Schools and who are requesting FMLA leave to care for a family member with a serious health condition or because of the employee's own serious health condition. The main function of that employee must be to directly provide educational instruction. Teacher assistants, cafeteria workers, building maintenance workers, bus drivers and other primarily non instructional roles are not covered by these provisions.

A. Intermittent FMLA Leave or FMLA Leave on a Reduced Schedule FMLA leave that is foreseeable based on planned medical treatment and where the employee would be on FMLA leave for greater than twenty (20) percent of the total number of working days in the period which the leave would extend, the Superintendent may require that such employee elect either (a) to take FMLA leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or (b) to transfer temporarily to an available alternative position offered by the employer for which the employee is qualified, and that has equivalent pay and benefits; and better accommodates recurring periods of FMLA leave than the regular employment position of the employee.

B. FMLA Leaves Taken Near the Conclusion of an Academic Term

1. FMLA leave more than 5 weeks prior to the end of the term.

The Superintendent may require the employee to continue taking FMLA leave until the end of such term, if:

- a. the leave is of at least 3 weeks; and
- b. the return to employment would occur during the 3-week period before the end of such term.

2. FMLA leave less than 5 weeks prior to the end of the term.

Except in cases where the employee takes FMLA leave due to his/her own serious health condition, the Superintendent may require the employee to continue taking FMLA leave until the end of such term, if:

- a. the leave is longer than 2 weeks; and
- b. the return to employment would occur during the 2-week period before the end of such term.

3. FMLA leave less than 3 weeks prior to the end of the term.

Except in cases where the employee takes FMLA leave due to his/her own serious health conditions, the Superintendent may require the employee to continue to take leave until the end of such term.

### III-C-3 Health Insurance for Retired Employees

The Board will continue to provide cost sharing with eligible employees who are enrolled in the health care plan at the time of retirement under the conditions set forth in this policy.

#### A. Type of Coverage (Individual, Husband and Wife, Parent and Child, Family)

1. Eligible employees may continue the same type of coverage in retirement as they had last as an active employee.
2. The retired employee may elect reduced coverage at the time of retirement or anytime during retirement, but cannot elect later to have increased coverage.
3. A spouse and/or dependent child covered at the time of a retiree's death may continue with the same level of coverage.

#### B. Eligibility for Cost Sharing

1. Employees will qualify for immediate cost sharing provided all the following conditions are met:
  - a. they have qualified for a regular service retirement or disability retirement under the Maryland State Retirement Systems immediately upon separation from the Worcester County public school system;
  - b. they have completed a minimum of five years of service in the Worcester County Public Schools immediately preceding retirement, if hired on or before October 31, 2007. Employees hired on or after November 1, 2007, must complete a minimum of fifteen (15) years of service in the Worcester County Public Schools immediately preceding retirement.
2. Deferred retirement status is not considered as a regular service retirement and thus does not qualify employees for cost sharing.

## Article D - General Personnel Policies

### III-D-1 Evaluation of Administrative & Supervisory Staff Members

#### General

The Worcester County Public School system realizes the importance of evaluating the yearly performance of its administrative and supervisory staff members and wishes to make visible and explicit the process of evaluation. The following reflect the basic beliefs concerning the evaluation of administrative and supervisory staff members:

Evaluation is a cooperative process involving those directly affected and focuses on the continuous growth of the individual in the performance of the assigned responsibilities.

Evaluation is a continuing process of helping the individual to better understand the job and ways of accomplishing the job and to set up steps essential to growth and effective functioning in the job.

Evaluation seeks to arrive at judgements based on supporting data and evidence.

The evaluation process is diagnostic inasmuch as a critical component of the process is needs assessment of the situation.

Evaluation is conducted by the person to whom an individual is directly responsible in cooperation with the person being evaluated.

The evaluation process has these purposes in view:

To clarify roles and functions

To improve morale

To set objectives, work for accomplishments, evaluate results and plan realistic next steps

To improve program relevancy, effectiveness and efficiency and to contribute to the efficient operation of the school system

To provide a source of data for making decisions concerning compensation, promotion, retention in position, transfer, demotion and release

## A & S STAFF EVALUATION

### Procedures

### Procedural Steps

### Responsibilities of Evaluator & Evaluatee at Various Steps

Phase I  
Establishments of Job Targets

Using the appropriate job description each member of the A & S staff prepares specific job targets for the school year.

Each A & S staff member's job targets are reviewed by the immediate supervisor and a conference is held between the evaluatee and the immediate supervisor.

It is the responsibility of the immediate supervisor to approve or modify the evaluatee's job targets in consultation with the evaluatee and then sign the appropriate section of the "Job Target Establishment & Review" form.

Responsibility for the number and dates of the reviews rests with the evaluator. The evaluatee may also initiate a review. The appropriate section of the "Job Target Establishment & Review" form is used for this purpose.

Phase II  
Periodic Review

Review of the degree of accomplishment of job targets is held as needed. Additional duties assigned during the school year are also reviewed at this point.

The evaluator must prepare the annual written evaluation in triplicate. The evaluatee signs and both participants make appropriate comments. The annual written evaluation is forwarded to the Superintendent of Schools and is filed in the official personnel folder after the superintendent's review. The evaluator and evaluatee each receive a copy. The written analysis of the extent to which job targets were met is attached to the annual evaluation form.

Phase III  
Formal Written Evaluation

A formal evaluation conference is held during which assessment is made as to the degree of attainment of job targets and an overall evaluation of performance is completed. In preparation for Phase III the evaluatee prepares for review a written analysis of the extent of which job targets were met and indicates need for carry over to the following year, if necessary.

### Consequences of Rating

1. Unless promoted, an A & S Staff member whose final overall rating is "satisfactory" shall continue in the position or in a position comparable in terms of function, responsibility and compensation unless the position is eliminated by Board action and no comparable position exists, in which case the staff member who is eligible for certification in another area shall be so assigned. A satisfactory rating results in placement on the next higher step on the appropriate salary scale.

REV. 10/01

REV. 10/05

POL. III-D-1

2. An unsatisfactory rating would normally result in a recommendation to the Board of Education for the initiation of procedures that might result in one or more personnel actions including denial of salary increment, demotion, or termination. At the discretion of the Superintendent, the evaluatee receiving an unsatisfactory rating may be placed on probation for a period of one year without salary increment, while a plan of action aimed toward improved performance is implemented.

### Appeals

If there is a disagreement over an evaluation, the evaluatee may request a review by the Superintendent, or if he/she is the evaluator, the Board of Education. The appeal must be submitted in writing within 30 days of the date of the final evaluation. Appeal hearings and a written decision should be rendered within 30 days of the date of appeal.

### Evaluation Schedule

Phase I	Completed by September 30th
Phase II	As necessary during the course of the year with at least one conference to be held prior to January 31st
Phase III	Completed by June 30th

## RATING PROCEDURES

By the end of June a formal rating conference shall be held between the rater and ratee to discuss the completed rating instrument.

The rating should include consideration of the ratee's level of experience and the conditions under which the ratee works, such as physical facilities, work load and other factors that might limit the ratees' effectiveness in attaining the goals of the program.

The formal rating report shall clearly indicate an assessment of the ratee's performance. Written comments may be made by the ratee as well as the rater. The rating form shall be signed by the rater and the ratee. The ratee's signature indicates that he/she has seen the rating, not necessarily that he/she is in agreement with it.

### Considerations

- I. Overall Rating. In arriving at an overall rating the rater will give consideration to items I-A, I-B and I-C. The various items on this form do not carry equal weight, however, and are not meant to be averaged. The rating represents the rater's judgment of the total professional performance.
- I-A. Technical Competency. Varies with the ratee's assignment and must be evaluated by the rater accordingly.

- I-B. Interpersonal Relations. May include such variables as: establishing effective communications, working cooperatively, displaying tactfulness.
- I-C. Management of Position Assignment. May include the following variables: dependability (including punctuality and attendance), initiative, responsibility, conscientiousness, and ability to delegate responsibility as required with appropriate follow up and supervision.

<b>WORCESTER COUNTY PUBLIC SCHOOLS</b> Newark, Maryland	<b>A &amp; S STAFF</b> <b>PERFORMANCE RATING REPORT</b>		
NAME: LAST _____	FIRST _____ DATE _____		
POSITION _____	LOCATION _____		
A. PERFORMANCE CRITERIA EVALUATION (A supporting statement must be written if the performance is rated "unsatisfactory.") (S - Satisfactory; U - Unsatisfactory)			
PERFORMANCE CRITERIA	S	U	SUPPORTING STATEMENT
1. <b>TECHNICAL COMPETENCY</b>  The degree to which the ratee demonstrates through performance the skills and the knowledge that the job requires.	<input type="checkbox"/>	<input type="checkbox"/>	
2. <b>INTERPERSONAL RELATIONS</b>  The degree to which the ratee employs good human relationships to enhance his/her effectiveness in the job.	<input type="checkbox"/>	<input type="checkbox"/>	
3. <b>MANAGEMENT OF POSITION ASSIGNMENT</b>  The degree to which the ratee is effective in planning, organizing, implementing and evaluating his/her job-related activities.	<input type="checkbox"/>	<input type="checkbox"/>	
4. <b>JOB TARGETS</b>  <input type="checkbox"/> Met job targets at a high level of performance. <input type="checkbox"/> Met job targets at an adequate level of performance. <input type="checkbox"/> Met few of the job targets. <input type="checkbox"/> Unsatisfactory accomplishment of job targets.			
5. <b>OVERALL RATING</b>  Performance in present position.	<input type="checkbox"/>	<input type="checkbox"/>	
B. ADDITIONAL INFORMATION (includes additional comments):			
C. COMMENTS OF PERSON EVALUATED			
D. SIGNATURES			
Evaluator _____		Date: _____	
*Person Evaluated _____		Date: _____	
*By signing this evaluation, the ratee verifies that he/she has had a conference and has seen this report but does not necessarily agree with the contents. If he or she wishes, comments may be added.			

Original to Ratee's Central Office File, One Copy to Ratee, One to Rater.

WORCESTER COUNTY PUBLIC SCHOOLS  
**A&S STAFF JOB TARGET ESTABLISHMENT AND REVIEW FORM**

- Directions: (1) A&S staff member lists job targets based on his/her area of responsibility. The evaluator may specify additional job targets.  
(2) This form is used for Phases I and II of the Executive Staff Evaluation Procedures.

Evaluatee's Name:

Position:

<p><u>Job Target Establishment Conference</u> Date: _____</p> <p>_____ Evaluatee's Signature</p> <p>_____ Evaluator's Signature</p> <p><b>JOB TARGETS</b> (lists - use additional sheets as necessary)</p>	<p><u>Job Target Review Conference</u> Date: _____</p> <p>_____ Evaluatee's Signature</p> <p>_____ Evaluator's Signature</p> <p><b>REVIEW CONFERENCE COMMENTS</b> (evaluation of progress, restatement of job targets, suggestions)</p>
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### III-D-2 Teacher Evaluation System

The Worcester County Teacher Evaluation System was developed by a Teacher Evaluation Committee consisting of teachers, principals, supervisors, a coordinator, a counselor, and the Assistant Superintendent. One-half of the committee was appointed by the president of the Worcester County Teachers' Association and one-half was appointed by the Superintendent. The committee was chaired by the Assistant Superintendent for Instruction.

The word "supervisor," as used in this document, shall mean anyone who is in a rating capacity.

The purposes of the teacher evaluation are the following:

1. To improve instruction and facilitate student learning.
2. To help teachers improve their technical effectiveness.
3. To provide supervisors with feedback which can help them provide material support and develop inservice and personnel programs that benefit staff effectiveness.
4. To increase communications and thereby improve relationships among teachers and the people in supervisory capacities.
5. To provide a fair and equitable system of recommending teachers for tenure, reappointment, Class I or Class II certificates, and dismissal.

#### Teacher Effectiveness Criteria:

The performance of teachers is evaluated according to a number of criteria. These criteria, which are sufficiently general in nature, apply to all classroom teachers. The criteria, which provide a framework for organizing a program to improve instruction, are not comprehensive enough to indicate all the behaviors that go into good teaching. However, they do specify some of the behaviors that are generally known to indicate good teaching.

If the teacher effectiveness criteria are to be useful to the teachers, it is necessary that the principal and supervisor clarify their expectations to the teachers they evaluate. The teachers shall be informed of the basis of the evaluation at the beginning of the school year or whenever conditions change.

The seven criteria that have been identified for observations and evaluations focus on some of the most important indications of good teacher behavior even though there are other behaviors that are necessary for good instruction. The criteria are as follows:

- |             |  |
|-------------|--|
| Criterion 1 | <u>Organization and Management</u> : Teacher manages students in a manner that promotes good classroom organization.   |
| Criterion 2 | <u>Learning Objectives</u> : Learning objectives or expectations are realistic and known by students.  |
| Criterion 3 | <u>Teacher Scholarship</u> : Teacher has a good knowledge of subject matter being taught and demonstrates a good command of the English language.                              |
| Criterion 4 | <u>Planning</u> : Teacher has defined objectives for the lesson, shows evidence of planning and follows the plan.  |
| Criterion 5 | <u>Resources and Materials</u> : Teacher provides for differences, uses media center/AV, community, student-made, and other resources that provide pupil interest in learning. |

- Criterion 6                    Human Relationship: Teacher demonstrates respect, empathy and openness and listens/responds to concerns.
- Criterion 7                    Acceptance of Responsibilities: Teacher demonstrates good attendance, is punctual, keeps appropriate reports accurately, and accepts other fair and reasonable responsibilities.

Classroom Observations:

The two purposes of classroom observations are (1) to ensure adequate supervision of and support for the teacher in order to increase effectiveness and (2) to provide a basis for teacher evaluation.

Every teacher is to be observed every year in a formal instructional classroom setting by two different observers. Each observation should be a minimum of twenty (20) minutes in length. The minimum number of observations shall be as follows:

1.        Tenured teachers: 2
2.        Probationary teachers: 6
3.        Teachers being considered for a Class II Certificate: 4
4.        Teachers holding a Class II Certificate: 6

Teachers are considered probationary if they have not completed two successful years of teaching in the Worcester County Public Schools or do not hold a standard or advanced professional certificate. The Board of Education may extend probationary status for a third year at its discretion.

To coordinate observations with evaluation periods during the year, the following observation schedule should be followed:

1.        Tenured teachers shall be observed by two different observers at least once during each year.
2.        Teachers being considered for a Class II Certificate shall be observed at least once each semester by each of two observers.
3.        Probationary teachers and teachers holding a Class II Certificate shall be observed at least once during each of the three evaluation periods by each of the two observers. The first evaluation period ends on November 30, the second ends on January 31 and the third ends on April 30.

Conferences and Records:

Each of the required classroom observations must be followed by a conference between the observer and the teacher. A conference will be held as soon after the observation as possible.

Since the conference is an extension of the observation, all data on the observation shall be shared. The conference may include discussion of general professional performance and some of the criteria identified specifically on the observation form. The conference recognizes successful performance and provides an opportunity to make plans for improvement. Performance which the observer considers unsatisfactory must be clearly identified by the observer.

In addition to the signature of the observer, the teacher will sign the observation report indicating that he/she has seen and discussed the report. The teacher's signature does not mean that the teacher agrees with the contents of the report.

The observation form may be used for the teacher's comments as well as the observer's.

One copy of the teacher observation/conference form is given to the teacher, one copy to the principal and one copy placed in the teacher's official personnel file.

#### Teacher Evaluation Form:

For tenured teachers whose performance is unsatisfactory, the evaluation form is completed at least once per year in the month of April. Tenured teachers whose performance has been satisfactory will be evaluated no later than June 1. Evaluation forms for probationary teachers and teachers holding Class II Certificates shall be completed in November, January, and April. Teachers being considered for a Class II Certificate shall be notified that they are being considered for such a certificate in January and shall receive an evaluation report in January and April.

Performance on the Teacher Evaluation Form is indicated by seven criteria. Each teacher will be rated on each criterion as either Satisfactory or Not Satisfactory. Any degrees of Satisfactory should be handled in the space provided for comments. It is anticipated that comments will include teacher strengths as well as areas of improvement needed.

When the Not Satisfactory category is selected, even though weaknesses have been identified through observations and conferences, a supporting statement must be given to describe the performance which resulted in the unsatisfactory rating and the improvements that must be made.

The evaluations completed in November and January will forecast probable success as a teacher in the present position as good, questionable, or unsatisfactory. The April evaluation shall classify each teacher as recommended for continued employment, not recommended for reemployment, recommended for a Class II Certificate, or recommended for dismissal.

The teacher will have an opportunity to comment on the evaluation.

## EVALUATION OF NON-CLASSROOM SPECIALISTS

The following procedures are to be used for all certificated staff members who are not identified as classroom instructors. A & S staff are evaluated in accordance with Policy III-D-1.

<u>Procedures</u>	<u>Procedural Steps</u>	<u>Responsibilities of Evaluator &amp; Evaluatee at Various Steps</u>
Phase I Establishment of Job Targets	Within his/her job description each specialist prepares specific job targets for himself/herself for that school year.	It is the responsibility of the immediate supervisor to approve or modify the evaluatee's job targets in consultation with the appropriate section of the Job Target Establishment & Review form.
Phase II	<p>Each specialist's job targets are reviewed by his/her immediate supervisor and a conference is held between the evaluatee and his/her immediate supervisor in the month of September.</p> <p>Review of the degree of accomplishment of job targets is held as needed. Additional duties assigned during the school year are also reviewed and evaluated at this point.</p>	Responsibility for the number and dates of the review rests with the evaluator. The evaluatee may also initiate a review. The appropriate section of the Job Target Establishment & Review form is used for this purpose.
Phase III Formal Written Evaluation	A formal evaluation conference is held following the procedures outlined under "Teacher Evaluation Form." The Non-Classroom Specialists Evaluation Form is used.	The evaluator must prepare written evaluations in triplicate. The evaluatee signs and both participants make appropriate comments. A copy of the written evaluation is forwarded to the personnel office.



TEACHER

OBSERVER

OBSERVATION DATE

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DIRECTIONS: This form is to be used by the observer to record data during a classroom visit. If there are any special considerations that the teacher or observer believes may be pertinent to the teacher's performance, they should be indicated under "Special Considerations." The seven criteria that have been identified as major areas of focus are (1) Organization and Management, (2) Learning Objectives, (3) Teacher Scholarship, (4) Planning, (5) Resources and Materials, (6) Human Relationship, and (7) Acceptance of Responsibilities.

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OBSERVATION, CONFERENCE, AND TEACHER COMMENTS: Time:

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Observer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Teacher's Signature\*: \_\_\_\_\_

Date: \_\_\_\_\_

\*By signing this evaluation, the teacher verifies that he/she has had a conference and seen this report, but does not necessarily agree with the contents. If he or she wishes, comments may be added.

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*Original to Personnel file, one copy to teacher, one copy to principal*



III-D-3            Employment of Substitute Teachers

- A.     The Superintendent shall issue each year a list of approved substitutes for the County Schools. Teachers shall report a pending absence to the school principal who shall in turn procure a substitute from the approved list. If a substitute is not available from the approved list, principals may use an applicant who in their opinion is a mature person and has the capability to substitute for a teacher on a short term basis. In such cases, the human resources department must be notified and appropriate action must be taken to certify the applicant for substitute work.
  
- B.     Every effort shall be made to procure substitute teachers who have college degrees and/or are certifiable in the field in which they will substitute. Noncollege degree personnel may be employed as substitutes, but college degree personnel will have preference.
  
- C.     A workshop for potential substitutes shall be conducted at least annually. All substitutes, with the exception of retired teachers, should participate in at least one workshop. A substitute must participate in two workshops in a year to qualify for differential daily pay. A substitute must attend one workshop each succeeding year in order to qualify for differential daily pay.
  
- D.     Substitute Teacher Pay
  - 1.     For substitute teaching for different teachers on an intermittent or short duration basis, the daily pay rate shall be that prescribed in the operating budget. The rate shall be scaled as follows: nondegree, college degree, workshop attendance, and retired teachers.
  
  - 2.     In instances where the substitute remains in the same assignment for a period of 10 or more consecutive school days and has the full responsibility for the planning and operation of the class, the reimbursement shall be adjusted upward retroactively to the first day in that assignment at a daily rate as presented in the operating budget.
  
  - 4.     In instances of unusually long periods of substituting (such as several months), the Superintendent shall be consulted before an agreement is made with the substitute teacher.
  
  - 5.     It will be the responsibility of the principal to report to the payroll department when the provisions of Item #2 apply.

### III-D-4 Volunteer Program

#### A. Procedures For Organizing A Volunteer Program

1. The school should inform parents and community persons concerning the need for volunteers. Persons interested in providing volunteer services, should be notified of the time and place where an organizational meeting will be held.
2. Volunteers should be encouraged to attend an organizational meeting prior to actually becoming a volunteer. As part of the organizational meeting, prospective volunteers should be made aware of the guidelines of this report and any additional guidelines established by the school.
3. Following the organizational meeting, prospects should be given the opportunity to commit their services. This commitment should specify days, time and instructional program.
4. A school faculty committee or the principal should select those individuals that they want from the final list of those interested. It is then the responsibility of the principal to notify those selected and those not selected as to the list of volunteers and alternates.
5. Master schedules for volunteers should be established and available to all employees and volunteers.
6. Inservice training for volunteers is imperative for effective utilization.
7. Continuous evaluation of the volunteer project should be made by the total faculty.

#### B. Guidelines for Schools

1. The services of volunteers should be solicited only when the success of a program is dependent on their help. This will, to some degree, insure that the volunteers are directly involved in their jobs and that they are contributing to the educational development of the children in the school. Definite needs and priorities should be established prior to beginning a project of this nature.
2. A firm schedule should be developed for all volunteer workers.
3. If possible, volunteers should be utilized in an area that is not servicing their own children. The staff should be cautioned not to grant any privileges to youngsters of volunteers that are not extended to others.
4. Teachers shall not allow volunteers to make educational decisions regarding students. The teacher develops the master plan for operation of the classroom.
5. At no time should employees place children under the direct supervision of volunteers.

C. Guidelines for Volunteers

1. Each volunteer, in order to be a volunteer, is expected to report to school on time on the day assigned. Regular attendance is expected in order to maintain the instructional program. In case of emergency illness, the volunteer is expected to notify the school at the earliest possible time.
2. Volunteers should understand that any information they have regarding individuals in the school is of a confidential nature. If a volunteer discusses a student's progress or behavior in the community, the volunteer will be removed immediately.
3. Under no circumstances shall volunteers be placed in a situation that makes them responsible for the supervision of children. Supervision is the responsibility of employed personnel only.
4. Volunteers will not plan student activities or make educational decisions regarding students. Volunteers' services shall be used only in the implementation phase of the instructional programs.
5. If conflicts arise between employed personnel and a volunteer, it shall be understood that the volunteer will be relieved of the responsibility if the conflict is not resolved.
6. Areas shall be designated as to where volunteers may go in the school building. Instructional materials may be used only as directed.
7. If possible, volunteers should be utilized in an area that is not servicing their own children. Youngsters whose parents are working in the school should not expect any privileges not extended to others.
8. Volunteers are expected to work throughout the school year or the duration of the project.
9. At no time will volunteers be permitted to bring children to school that are not scheduled for regular classes.

III-D-5 Selection and Appointment of Certificated and Noncertificated Personnel

I. Filing Application

- A. Applicants for a position with the Worcester County Public Schools must file a written application with the Human Resources Department. Upon written or oral request to the Human Resources Department, application forms will be provided to anyone interested in a position. A completed application becomes a part of the employee's permanent personnel record. No one will be considered to have made application unless the required forms are completed and are on file with the Human Resources Department.
- B. The application form must be completed by the applicant in detail, omitting no sections.
- C. Candidates are responsible for having their credential packet and/or transcripts sent from colleges attended.
- D. Applicants who do not receive an immediate appointment are responsible for keeping their application up to date by notifying the Human Resources Department on or before January 1 of each school year following the filing of the application. Unless the applicant requests a renewal, the application will be moved to inactive status for a period of one school year and if not renewed by January 1 of that year, it will be destroyed.

II. Processing of the Application by the Human Resources Department

- A. The completed and signed application is received and acknowledged by letter.
- B. Reference forms and return envelopes addressed to the Human Resources Department will be sent to the references listed on the application and to previous employers.
- C. The applicant's certification status will be determined and noted on the application.
- D. A minimum of three professional references must be received for an applicant to be considered for a position, one of which must be from the most recent employer.

III. Evaluation of Applicant's Qualifications

- A. The Human Resources Department, through screening of the application form and reviewing the credentials and references, decides whether or not an applicant is qualified for consideration for employment.
- B. A "qualified applicant" shall be defined as person who has been determined to be eligible for professional certification, and whose grade point average, student teaching experience, and professional references are at least above average.

IV. Interviews for Professional Teaching Appointments

- A. All candidates who have been determined to be qualified for consideration for employment will be eligible for the interview process.

- B. Qualified local residents and graduates who have an application on file prior to the established interview date(s) will be invited for interviews. Those who do not achieve the minimum score on the interview portion two consecutive years will be considered for, but not guaranteed, an interview in subsequent years.
  - C. Eligible candidates will be interviewed by two or more persons from the pool of principals and supervisors and assigned a numerical rating. The purpose of the numerical rating is to rank the applicant in relationship to other candidates for similar positions. Candidates who were unsuccessful in the previous year should be interviewed by a new team the following year if possible. Upon request, candidates will receive feedback on their interview performance.
  - D. The numerical rating by each interviewer will be submitted to the Supervisor of Human Resources who will add the ratings to achieve a combined score.
  - E. Each candidate will be assigned additional scores based on grade point average and three professional references.
  - F. The Superintendent may award additional points to certain employees and substitute upon recommendation from principals.
  - G. The combined score of the interview ratings and the additional scores will determine the overall ranking for hiring purposes.
  - H. Based upon the overall ranking, the Supervisor of Human Resources shall prepare a list of the "top candidates" and each principal with a vacancy in that teaching area shall make a reasonable effort to communicate with those "top candidates" before the principal's hiring recommendation is made to the Superintendent.
- V. Interviews and Appointments for Noncertificated Personnel Vacancies
- A. Upon notification of a pending vacancy, the Human Resources Department will send the immediate supervisor all appropriate applications on file. From time to time, the Board of Education will advertise for applications in local newspapers.
  - B. Candidates for clerical positions will be required to take certain skill tests. The results of the tests will be made part of the application.
  - C. The immediate supervisor will screen the applications and select candidates for interview.
  - D. The candidates will be notified by letter of the vacancy and the time and place of the interview.
  - E. The interview will be conducted by at least two persons in an administrative or supervisory capacity.
  - F. A minimum of five candidates will be interviewed for a vacancy when possible. Exceptions shall be approved by the Superintendent of Schools.
  - G. The appointment will be subject to the approval of the Board of Education.

VI. Appointment and Assignment of Professional Teaching Staff

- A. The Human Resources Department is responsible for maintaining an up-to-date listing of all employment vacancies existing in the county. This listing is determined by instructional program needs, budgetary allocations and by turnover. Principals and department heads shall notify the Human Resources Department as soon as they are aware that a vacancy is anticipated or occurs.
- B. All things being equal, former employees who have demonstrated outstanding job performance or student teachers who have completed a successful internship in a Worcester County Public School will be given preference for employment.
- C. All definite offers of employment and salary information shall be made by the Supervisor of Human Resources based on lists of eligible candidates maintained by the Human Resources Department. All appropriate materials including reference forms, transcripts, etc., must be in the application file before a candidate is considered. The lists of eligible candidates shall be kept by subject area and reflect the relative ranking of the candidates based on the numerical rating assigned.
- D. The offer of employment will be made immediately upon approval of the Superintendent and after transfer requests have been considered, with notice that the candidate will be officially recommended by the Superintendent for appointment by the Board at a subsequent meeting.
- E. An applicant who has been appointed to a position will be so informed in writing. An appointment form will be mailed to the applicant who indicates acceptance of the position.

VII. All appointments will be subject to the results of a Criminal Background Check. Appointees who have submitted all appropriate documents to the Human Resources Office may be placed on the payroll pending the results. An employee who is found to have a criminal record will have the offer of employment rescinded immediately.

III-D-6 Release of Names of Employees

The names and addresses of employees shall not be released to any firm or person as an aid in soliciting business or other contributions.

III-D-7 Religious Holidays

Salary deduction shall be made for absences on any holidays not prescribed by law or by the annual school calendar adopted by the Board of Education, except that employees may use personal business leave for religious holidays with the approval of the Superintendent.

III-D-8 Staff Members Refereeing Athletic Events

No staff member is to be released prior to the end of the normal school day to officiate at any athletic event except in cases where the event is being held in Worcester County and involves Worcester County teams. For games within Worcester County, involving Worcester County teams, a teacher may be excused at the end of the last period of the school day or in the event of assigned duties after school, at the conclusion of those assigned duties.

III-D-9 Workers' Compensation Claims

The Worcester County Board of Education provides workers' compensation protection for all employees as required by law. Through this coverage, employees may be compensated for work-related injuries, illness or death incurred while pursuing their occupations.

When employees receive payment for workers' compensation claims, their salary will be reduced by a corresponding amount. Sick leave will not be charged for up to a maximum of sixty (60) days for each separate work-related injury.

### III-D-10 Optional Salary Deductions

#### A. Credit Union

The Worcester County Teachers' Association has organized a local credit union, the Worcester County Federal Credit Union (WORCO), affiliated with the Federal Credit Union. Through this organization, employees may invest or borrow. The Board of Education will make payroll deductions in conjunction with the Credit Union.

#### B. Payroll Savings Program

A Payroll Savings Program is operated for the benefit of school personnel in conjunction with the United States Treasury Department. Payroll deductions for the purchase of United States Savings Bonds will be made upon request. Deductions will be made on a semi-monthly basis from September 1 through June 30 each year. One may withdraw from or enter the program at any time. Interested personnel may contact the Payroll Department for authorization forms. Bonds will be issued throughout the school year.

#### C. Summer Savings

The Board of Education maintains a plan whereby an employee may, upon proper written authorization, have a regular amount withheld from each paycheck. Deductions for summer savings must be in an even dollar amount. Summer savings deductions will be refunded in a single check dated June 30 each year. Summer savings deductions may be stopped at any time by notifying the Payroll Department in writing.

#### D. Tax-Sheltered Annuity

The Board of Education will make salary deductions for Tax-Sheltered Annuity and forward the monies collected to bona fide companies jointly selected by the Board of Education and the Worcester County Teachers' Association.

Deductions will be made upon proper written authorization from the employee.

#### E. Other Deductions

Other direct payroll deductions are available to employees as approved by the Superintendent of Schools.

#### F. Change in Payroll Deduction

No changes in payroll deductions will be made until a written request is received. Once received, changes will be made the next time payroll is prepared.

III-D-11 Change in Salary Deductions

The deduction register for the 15th of the month paycheck is prepared on the 30th of the preceding month. In order to make a change in salary deductions, the employee must submit a written request prior to the 25th of each month. The salary deduction change will be effective on the 15th of the following month.

No changes in deductions will be made until a written request is received.

III-D-12 Proration of Salary

When a teacher is employed after the beginning of the school year or when a teacher's employment terminated prior to the end of the school year, the annual salary due the teacher will be calculated in the following manner:

- A. The number of duty days in the school calendar for that year which will elapse or have elapsed during the time the teacher was scheduled for duty will be determined.
- B. This number will be placed over the number of duty days in the school calendar for that year to make a fraction. This fraction will be multiplied by the scheduled annual salary to determine salary due to the teacher for the proportionate part of the school year he or she will be on duty.

This method of proration will also be used in determining the compensation for teachers returning from a leave of absence after the school year begins or for teachers granted a leave of absence before the end of the school year.

III-D-13 Denial of Salary Increment for Class II Certificate

Maryland's Public School Laws stipulate that, "A teacher or principal whose certificate is rated by a county superintendent as second class....may not receive a salary increment based on experience."

A person so classified will not regain the experience step for salary purposes should certification status change in the future.

III-D-14 Procedure for Advancement on Salary Scale

It is the responsibility of the certificated staff member requesting advancement on the salary scale to notify the human resources office of such in writing, and to supply all necessary documentation. Bona fide requests received by October 15 of the fiscal year will result in an adjustment of salary retroactive to the beginning of the school year. Requests received between October 15 and February 15 will result in an adjustment of salary beginning January 1 of the current school year.

In the case of a person requesting advancement to the Master's Degree Plus 30 Graduate Hours, a written request for a course count will suffice as the written notification.

III-D-15 Extra Duty Assignments

All extracurricular assignments will be made by the principal of the school sponsoring the activity. Assignment will be made by letter from the principal prior to the beginning of the activity. The length of the assignment will be one (1) year unless the principal has just cause to remove the employee, and no obligation exists for reassignment in succeeding years.

The person assigned the extracurricular duty is not required to be on the school's faculty.

Temporary emergency coaches may be hired in accordance with COMAR.

III-D-16 Worcester County Ethics Regulations

A. Applicability and Definitions

1. The provisions of these regulations apply to all school officials and employees of the Worcester County school system.
2. As used in this policy the term "gift" includes the transfer of any service or thing of economic value regardless of form without adequate and lawful consideration, except for the solicitation or receipt of political campaign contributions regulated in accordance with the provisions of the Annotated Code of Maryland.

B. School System Ethics Panel

1. These regulations shall be administered by a Worcester County School System Ethics Panel, which shall be convened as necessary and have the following responsibilities:
  - a. to devise, receive and maintain all forms generated by these regulations;
  - b. to provide advisory opinions to persons subject to the regulations as to the applicability of these provisions to them;
  - c. to process and make determinations as to complaints filed by any person alleging violations of these regulations;
  - d. to refer findings regarding complaints and other enforcement matters to the Board of Education for action;
  - e. to conduct an information program regarding the purposes and application of these regulations; and
  - f. to grant exemptions and modifications to these regulations if the Panel determines that a specific application would (1) constitute an unreasonable invasion of privacy, (2) significantly reduce the availability of qualified persons for public service, or (3) not be required to preserve the purposes of these regulations.
2. The Worcester County School System Ethics Panel shall be composed of the Board attorney and four members appointed by the Board of Education for four-year staggered terms or until a successor takes office. Panel members other than the Board attorney shall serve without compensation but the Board may reimburse them for reasonable expenses incurred during the performance of their duties.

C. Conflicts of Interest

1. Persons who are subject to this policy shall not participate in the decision-making process on behalf of the school system in any matter which would have a direct financial impact, as distinguished from the public generally, on them, an immediate family member, or a business entity with which they are employed or in which they hold an interest of ten percent or greater.
2. Persons who are subject to this policy shall not:
  - a. represent any party before the School Board;

- b. within one year following termination of School Board service, act as a compensated representative of another in connection with any specific matter in which they participated substantially as a school official or employee;
- c. accept or have accepted on their behalf any gift or gifts with an aggregate value in one year of greater than \$50 in value from any person that has or is doing business with or is regulated by the School Board;
- d. use their position for their own financial benefit or that of another;
- e. receive any payment, fee or wage, other than such salary as may be authorized by law or resolution, from any person in return for governmental services for which they are being paid as a school system salary;
- f. solicit any gift; provided, however, that this shall not prohibit candidates for elective office from soliciting campaign contributions as may be permitted by state election laws;
- g. use for personal use or disclose any confidential information obtained in the course of their official duties; and
- h. as a full-time employee/supervisor, hold any outside employment or position that would conflict with school system employment.

#### D. Financial Disclosure

1. Persons subject to this Policy, upon becoming aware of a conflict of interest or potential conflict of interest, shall personally disclose such conflict and the nature thereof to the Superintendent and shall directly disqualify themselves from any action with respect to the matter.
2. Persons subject to this Policy shall promptly disclose, in such a manner as the Ethics Panel may prescribe, the following:
  - a. any matter in which the person has disqualified himself; and
  - b. the receipt of a gift except that it shall not be necessary to report any gift whose value is less than \$50; provided, however, that where more than one gift of less than \$50 in value has been received from the same source so that the total value of these gifts exceed \$50, these gifts shall be reported.
3. All candidates, including incumbents, for any elected office shall file a statement with the Ethics Panel within twenty-four hours of their filing disclosing any conflict or potential conflict they may have if elected, including disclosure of any gift in excess of \$50 from any person doing business with the county or whose business is regulated by the school system. If elected, such candidate shall file a second statement with the Board within thirty days of the election with respect to matters occurring between the first statement and the date of the second statement.

4. Statements filed with the Board will be maintained by the Secretary to the Board for a period of 3 years, and shall be available for public inspection and copying.

E. Lobbying Disclosure

1. Any person who personally appears before any school official or employee with the intent to influence that person in performance of official duties, and who, in connection with such intent expends or reasonably expects to expend in a given calendar year in excess of \$50 on food, entertainment or other gifts for such officials, shall file a registration statement with the Ethics Panel no later than January 15 of the calendar year or within five (5) days after first making such appearances.
2. The registration statement shall include complete identification of the registrant and of any other person on whose behalf the registrant acts. It shall also identify the subject matter on which the registrant purposes to make such appearances, and shall cover a defined registration period not to exceed one calendar year.
3. Registrants under this section shall file a report within thirty (30) days after the end of any calendar year during which they were registered, disclosing the value, date, and nature of any food, entertainment or other gifts provided to a school official or employee. Where a gift or series of gifts to a single official or employee exceeds \$50 in value, the official or employee shall also be identified.
4. The registrations and reports filed pursuant to this section shall be maintained by the Ethics Panel as public records available for public inspection and copying.

F. Sanctions

1. Violation by any school official or employee of the provisions of these regulations shall constitute grounds for discipline or personnel action, or removal from office where provided by law, consistent with procedures set forth in the Annotated Code of Maryland.
2. Persons or organizations found in violation of the lobbying provisions of these regulations shall be publicly identified and subject to other penalties as provided by law.

III-D-17 Noncertificated Employee Evaluation/Discipline/Termination

I. Initial Evaluation

- A. All newly hired employees will be evaluated initially at the end of a ninety (90) day probationary period. During this period, the employee may be terminated without right of appeal.
- B. If an employee is rated unsatisfactory in one or more areas during the initial evaluation, the probationary period may be extended for an additional ninety (90) days upon recommendation of the evaluator. If a second probationary period is granted by the Superintendent and the evaluation is considered unsatisfactory at the end of this period, the employee shall be recommended for termination.

II. Annual Evaluation

- A. All employees will have a minimum of one (1) evaluation per year. A copy of the written evaluation will be given to the employee.
- B. If the evaluation is unsatisfactory, the employee will be placed on probation with no increase in salary or recommended for termination.

III. Disciplinary Action

- A. A progression of disciplinary techniques will be used by supervisors including verbal warnings for minor offenses, written warnings, suspension, and finally dismissal for more serious or repeated violations of work rules and other Board policies.
- B. Some offenses subject to immediate dismissal:
  - 1. insubordination - refusal to comply with instructions
  - 2. refusal to accept a reasonable job assignment
  - 3. refusal to work overtime when a reasonable request is made
  - 4. falsification of application for employment
  - 5. falsification of work records
  - 6. immoral conduct
  - 7. fighting
  - 8. malicious damage to Board of Education property
  - 9. unauthorized removal of the property of other employees or the Board
  - 10. conviction of any criminal act
  - 11. incompetency or inefficiency
  - 12. neglect of duty
  - 13. use of obscene, abusive or threatening language
  - 14. possession of, or being under the influence of alcohol or drugs

C. Other offenses subject to disciplinary action and possible dismissal:

1. excessive absenteeism or tardiness
2. failure to report unexcused absence properly
3. leaving work station without permission
4. unauthorized use of telephone for personal business
5. creating unsafe or unsanitary conditions
6. smoking in prohibited areas
7. unauthorized use or disclosure of Board of Education records or other information

IV. Appeal Rights

- A. Employees have the right to appeal a recommendation for their dismissal in accordance with Agreement between the Worcester County Board of Education and the Worcester County Education Support Personnel Association.

III-D-18 Confidential Communications

Employees of the Worcester County Board of Education working with students on counseling relationships encounter the areas of confidentiality and privileged communications. These are areas where questions defy simple answers, and employees must weigh their obligations to the student against their obligations to the parent or guardian, the Worcester County Board of Education, and other agencies.

The professional educator does not operate as an independent professional, but must function within the limits of the policies and procedures established by the Worcester County Board of Education. The student's welfare and rights are of primary importance, and the integrity of the student shall be respected whenever possible.

It is mandatory that professionals who work with students in counseling relationships inform students of their limits of confidential communications. When the student's right to confidentiality is outweighed by the need to reveal certain information, the employee should secure the student's consent to disclose whenever possible.

However, all employees shall report to the principal immediately any information which indicates any behavior or threat of behavior that is potentially harmful or dangerous to students, others, or the community.

Procedures for dealing with areas of confidential communication that are considered potentially harmful or dangerous are as follows:

I. Suicide

Any student who implies, states, or discusses possible suicide shall be reported to the counselor, principal, or a member of the Crisis Intervention Team. The guidelines in Lifelines should be followed.

- A. The counselor, principal, or member of the Crisis Intervention Team shall meet with the student immediately to conduct a risk assessment with the student.
- B. If it is determined that there is no suicidal risk, the crisis manager develops an appropriate plan for the student. The crisis manager informs the parent or guardian of the plan.
- C. If at-risk doubt remains after assessment, the crisis manager or designee contacts an appropriate resource for consultation. Permission to make this referral is obtained during the parent conference.
- D. If the resource selected for consultation determines the student is not at risk, the Crisis Intervention Team develops an appropriate plan for the student.
- E. If questions remain or the student is determined to be at risk, the crisis manager contacts the parent and advises of the crisis situation and recommends outside agencies for further diagnosis and treatment.

- F. If the parent desires the services but is unable to assist with transportation, the crisis manager informs the parent that the school principal or designee will transport the student to the receiving agency on the parent's behalf.
- G. If the parent or student is noncompliant with the team's assessment findings that the student is at risk and the recommendations for further diagnosis and treatment, the crisis manager shall follow the guidelines in Lifelines.

## II. Drugs or Alcohol

Any student who is displaying obvious aberrant behavior such as symptoms associated with alcohol or drug abuse shall be reported to the principal immediately.

- A. If possible, the reporting employee shall accompany the student to the principal's office.
- B. If necessary, the employee should call the office for assistance in escorting the student to the principal's office.
- C. The following shall be reported to the principal promptly with a detailed summary:
  - 1. Date and time of suspected incident
  - 2. Nature of the incident (observed behavior)
  - 3. Name(s) of person(s) involved
  - 4. Description of action taken
- D. The principal or designee shall follow the procedures in *IV-C-10 Drug and Alcohol Policy* in the Policy Manual.
- E. These procedures do not change a school official's legal responsibilities with regard to Section 7-412 of the Education Article of the Annotated Code of Maryland (Preservation of Rights of Students Seeking to Overcome Drug Abuse).

## III. Pregnancy/Abortion/Contraception

Any student who reveals that she is pregnant shall be urged to discuss the matter with her parent(s) or legal guardian(s) immediately.

No employee shall dispense contraceptives, recommend that a student seek an abortion, provide information about where to get an abortion or assist a student in obtaining an abortion.

III-D-19           Absence of Employees as a Result of Assault

- A.     An employee who is absent due to physical disability that results from being assaulted while in the scope of board employment will be kept on full pay status instead of sick leave during the period of absence.
  
- B.     To be entitled to use assault leave, the employee must provide:
  - 1.     A signed statement that describes the circumstances of the incident and justifies the use of assault leave.
  
  - 2.     A certificate from a licensed physician that states the nature and duration of the disability if medical attention is required.

III-D-20 Child Abuse and Neglect Policy

The Worcester County Board of Education supports Maryland laws on child abuse and neglect and requires that all school employees and volunteers be informed about these laws.

Each school principal shall provide inservice sessions to all school employees on child abuse and neglect procedures. Training sessions shall also be provided to school volunteers and substitute teachers by appropriate school personnel. These sessions shall take place on an annual basis at the beginning of each school year and at other times as appropriate.

### III-D-21 Substance Abuse Policy - Employees

#### I. Purpose

The Worcester County Board of Education is committed to providing its employees with a safe working environment. Because school system employees are frequently viewed as role models by students, the Board of Education also considers that its employees have a special responsibility to adhere to the highest standards of personal conduct as regards the use of drugs and the consumption of alcohol. Therefore, the Board of Education will not tolerate the abuse of drugs or alcohol by employees.

#### II. Definitions

- A. "Substance" means alcohol or drugs.
- B. "Controlled dangerous substance" means any substance so defined from time to time in the Annotated Code of Maryland.
- C. "Alcohol" means ethyl alcohol or ethanol.
- D. "Drugs" means any controlled dangerous substance, or any other substance, not including alcohol, which when taken into the body may impair one's mental faculties or change one's mood and/or physical performance.
- E. "Abuse" means:
  - 1. Use of any illegal drug;
  - 2. Use of a prescription drug in a manner inconsistent with its medically prescribed, intended use or under circumstances where its use is not permitted;
  - 3. Use of alcohol in a manner which impairs job performance or employee effectiveness;
  - 4. Intentional or inappropriate use of any substance, legal or illegal, which impairs job performance or employee effectiveness.
- F. "Workplace" means a Board owned/utilized premise or vehicle.

#### III. Use and Possession of Substances

- A. Employees are prohibited from unlawfully manufacturing, distributing, dispensing, possessing, or using any controlled dangerous substance.
- B. Where justified by reliable information and/or observation, criminal violations will be referred to the appropriate law enforcement authority for further investigation and prosecution.

- C. Employees are prohibited from possessing or consuming alcohol in the workplace except as authorized in accordance with Section 26-103 of the Education Article of the Annotated Code of Maryland.
- D. Employees are prohibited from consuming any alcoholic beverage while supervising students or participating in a school related activity in which students are involved.
- E. Employees are prohibited from abusing prescription drugs.
- F. Employees must report to work in a fit condition to perform their duties. Reporting to work under the influence of drugs or alcohol will subject the employee to disciplinary action.
- G. Employees who abuse drugs or alcohol outside the workplace will be subject to disciplinary action if the abuse affects the ability to carry out employment responsibilities or diminishes employee effectiveness.
- H. All employees must report any arrest or conviction for violation of laws relating to controlled dangerous substances or alcohol abuse to their supervisor within five (5) days of the arrest.
- I. Employees arrested for violation of laws relating to controlled dangerous substances or alcohol abuse may be suspended pending resolution of the charges if the Superintendent determines that the offense is serious enough to warrant removal from the workplace.
- J. Employees convicted of crimes related to controlled dangerous substances or alcohol will be referred to the Superintendent for further disciplinary action which may include a recommendation to the Board of Education for suspension or dismissal.
- K. The Board of Education will educate and inform its employees about the dangers of drug and alcohol abuse in the workplace and the community at large, rehabilitation and employee assistance programs that are available through the health department or other agencies, and the penalties that may be imposed upon employees for drug and alcohol abuse.
- L. Employees will not be disciplined for voluntarily seeking assistance for a substance abuse problem. However, unacceptable job performance, attendance, and/or behavior problems will result in disciplinary action up to and including termination.
- M. The Board of Education will not hire anyone who is known to abuse drugs or alcohol.

III-D-22            Residency Requirements for Specific Positions

All employees are encouraged to reside in Worcester County. It is strongly recommended that persons assuming leadership positions reside in Worcester County. Employees appointed to the position of Superintendent, Assistant Superintendent, and Supervisor of Transportation, must become a resident of Worcester County within one year of the appointment. The Board of Education may extend the period of time when there are mitigating circumstances. Employees appointed to these positions must continue residency in Worcester County throughout the term of employment.

POL. III-D-23          Employee Identification

The Board of Education will provide to all employees a photo identification badge. All employees are expected to appropriately display the badge while at work and at all work related functions.