

## **ARTICLE VIII - INSTRUCTION**

### **Section 1: Substitutes**

- A. The District will attempt to provide a diverse substitute pool for all certificated employees for classroom time for all absences.
- B. The District will accept employee input for names of substitutes. A list of substitutes will be available through school secretaries for teacher review.
- C. The District agrees to notify substitutes at the earliest possible date and time when their services are to be used, assuming adequate notice is given by the absent employee. If adequate notice is provided, the substitute will be expected to adhere to the workday of the regular employee whom he/she is replacing.
- D. Employee preference for short-term substitutes will be recognized and reasonable attempts made to honor the request. For long-term substitutes, concurrence of site administrator and employee shall exist.
- E. Employees are encouraged to communicate the quality of substitute teachers to the administration. A Substitute Teacher Appraisal form (Appendix C-5) will be provided to do so.

### **Section 2: Paraeducator Supervision**

Site administrators will make a reasonable effort to communicate with affected certificated staff when hiring or transferring paraeducators. Affected employees will be conferred with prior to arranging pre-planned absences and substituting paraeducators in other positions.

### **Section 3: Non-Instructional Duties**

- A. The parties recognize that trained certificated staff be associated with students as they participate in school activities; accordingly employees shall be required to perform other duties outside of the normally assigned and required duties as specified in RCW 28A.405.240 and by the other applicable rules, regulations, and codes of Washington State.
- B. Assignments to these activities, when occurring, shall be during the regular school day and will be made on an equitable basis district-wide. These duties will be held to a minimum. Paraprofessionals, when available will be used to perform non-instructional duties.

### **Section 4: Student Teachers**

The District will permit student teachers from various area colleges under the following guidelines:

- A. A supervising teacher must have ~~two (2)~~ at least three (3) years of successful experience, one (1) year of which is in the Deer Park School District.
- B. The site administrator shall notify staff when area colleges request placement for student teachers in the District. Student teachers will be assigned only to teachers who have indicated to the site administrator that they desire a student teacher.

- C. No teacher will be assigned a student teacher without his/her prior consent or knowledge of such an assignment. When possible, such assignment shall be announced at least two (2) weeks in advance of the student teacher's arrival.
- D. No teacher will be assigned more than one (1) student teacher per year and will not have a student teacher in consecutive years without principal approval.
- E. The applicable honorarium shall be paid to the supervising teacher. The District shall not be held financially responsible if the college or university does not offer an honorarium.

### **Section 5: Student Discipline**

- A. In the maintenance of a sound learning environment, the District and employee shall expect acceptable behavior on the part of all students who attend school in the District.
- B. Consistent with RCW 28A.600.020, each building site will develop a student discipline policy. The building principal shall take the leadership in organizing a broad-based site committee to develop the discipline plan which will be reviewed annually. As soon as practical after the development of the student discipline policy, the District will make copies of the discipline policy available for all professional staff.
- C. The primary responsibility for discipline in the classroom rests with the employee; however, the District will support and uphold employees and those under their supervision in their efforts to maintain reasonable student behavior through adherence to state statutes, Washington Administrative Codes, rules formulated by the Board of Directors, and school building rules covering this matter. In the exercise of authority by an employee to control and maintain order and discipline, the employee will use reasonable and professional judgment concerning matters not provided for by specific policies adopted by the Board if consistent with federal and state laws or regulations. Employees shall assist in the enforcement of the aforementioned rules by reporting violations of the rules to the site administrator for his/her action.
- D. In the case where a student(s) behavior could be deemed as a safety issue or there exists student behavior that presents a potential danger to other students or staff, the supervising employee shall follow these procedures:
  - 1. Site administration and concerned party(ies) meet to discuss the situation and possible solutions. If there is no apparent resolution, go to step B.
  - 2. The concerned party(ies) meets with the DPEA site representative and go over the safety concern.
  - 3. Site representative and (optional) the concerned party(ies) meets with the site administration to discuss the safety issue with potential solutions.
  - 4. The DPEA Executive Board and the site administrator will be notified in writing by the site representative as a way to share possible common concerns for safety.
  - 5. If no resolutions occur, the Association may bring a grievance to the District to ensure a safe working environment for students and staff.
- E. Discipline In-service Training: The District will make available seminars for employees concerning applicable federal, state and local laws and District rules, regulations and procedures pertaining to student rights, employee rights, due process and the processing of student discipline.
- F. Administrative Feedback: The District agrees to provide a timely response to the concerns of employees about specific student discipline problems. When such problems are reduced by the employee to a formal written report requiring administrative action, the administrator shall inform the employee in writing as to the disciplinary action taken.

- G. Discipline Conferences: An employee may request of the site administrator that a conference be arranged to include the student's parent(s)/guardians(s)/custodian(s), the employee, and the site administrator (or his/her designee) to discuss the discipline of a student.
- H. Student Exclusion from Class: The District shall expect acceptable behavior on the part of all students, and shall support and uphold the authority of employees to use reasonable and prudent disciplinary measures for the safety and well-being of students and employees.
- I. Consistent with RCW 28A.600.020, each building site will develop a student discipline policy. The building principal shall take the leadership in organizing a broad-based site committee to develop the discipline plan which will be reviewed annually. As soon as practical after the development of the student discipline policy, the District will make copies of the discipline policy available for all professional staff. (moved - letter B)
- J. A employee shall have the authority to exclude a student from his/her class for all or any part of the period or until the employee has conferred with the principal, whichever comes first. Prior to excluding a student, except in emergency circumstances, the employee shall have attempted one or more corrective actions. In no case shall an excluded student be readmitted for the balance of a period without the consent of the employee. The excluding employee shall contact the parent in a timely manner to inform the parent of the incident and the resulting exclusion.
- K. Emergency Expulsion: Students knowingly carrying onto school premises a firearm as listed in RCW 9.41.250 will be expelled. Students carrying dangerous weapons other than firearms may be expelled.
- L. Emergency Expulsion Defined: A student may be expelled immediately by the superintendent or designee who has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process. Assault of staff members will be considered reason for emergency expulsion. An emergency expulsion shall continue until rescinded by the superintendent or designee, or until modified or reversed pursuant to the hearing provisions. (WAC 180.40.295)
- M. An employee has the right to request an emergency expulsion.
- N. Administrative Assistance: The District will make every effort to have an administrator or designee present at each worksite to assist employees in implementing the student discipline policy. Further, the District will make every effort to notify relevant staff members of any known discipline history prior to student placement. (2009)

## **Section 6: General Education Class Size**

~~General Education~~: The District recognizes the need for maintaining the lowest student/teacher ratio possible, taking into consideration the availability of facilities and funding.

### **Definitions:**

- A. Combination Classes: A combination class is a classroom that has blended two (2) or more grade levels and uses separate grade level curricula.
- B. Multi-Age Classes: A multi-age class is a classroom that has blended two (2) or more grade levels and does not use separate grade level curricula.

- C. Maximum Class Sizes: for the Deer Park School District shall be as follows (2006):
1. Kindergarten shall be no more than twenty-three (23) students. (2008)
  2. Grade 1 shall be no more than twenty-four (24) students. (2008)
  3. Grades 2-3 shall be no more than twenty-five (25) students. (2008)
  4. Grades 4 –5 shall be no more than twenty-six (26) students.
  5. Grade 6<sup>th</sup> ~~grade~~ shall be no more than twenty-eight (28) students in the general program, twenty-six (26) if self-contained, and thirty (30) in the elective program except as listed in Section 11.4.
  6. Grades 7-8 will be no more than thirty (30) students.
  7. Grades 9-12 will be no more than thirty-one (31) students.
  8. Combination classes will be three (3) students below maximum class size for the lowest grade level.

### **Section 7: Special Education (2006)**

- A. ~~We are committed to encourage and support appropriate academic and behavioral interventions that meet the needs of all students. Ideas and programs such as problem-solving teams and response to intervention have been successful in improving student learning. As a collaborative team, we are encouraged about the commitment to improve student learning for all. (2013)~~
- B. ~~We are committed to the training of all staff in how to better meet the needs of all learners in the general education classroom.~~
- C. ~~We will recommend that resources be made available at the building level to deal with difficult students or class size concerns. Staff are encouraged to bring student concerns to the building principal to generate intervention options. If intervention options have been exhausted without remedy of the initial concern, then the building principal and/or teacher will refer the concern to a district level. The district level administrator will involve the DPEA President. Long term solutions will more likely require hiring additional staff, changing program design, or working through the negotiations process, etc. These more permanent solutions, however, often require long range planning, training, staffing and budgeting, and may not be solved without extended planning. (2013)~~
- A. Class Size:
1. **Preschool** – Maximum of ten (10) eight (8) students with IEP's per half-day session. ~~four (4) students to one (1) adult ratio.~~ Staffing will be determined by the needs of students as identified in their Individualized Educational Program.
  2. **Elementary Resource Room** – Elementary (K-5) – Student enrollment per staff FTE in an instructional period is not to exceed an average a maximum of twelve (12) ten (10) students. ~~(More students per period may, at the teacher's discretion, be enrolled only if~~

- ~~the resource team has a program that has shown to be effective and the administrative supervisor and the teacher have agreed upon the number of students. Six (6)~~ Five (5) students to one (1) adult ratio.) Staffing will be determined by the needs of students as identified in their Individualized Educational Program.
3. **Elementary Self-contained Classroom** – Elementary (K-5) – Maximum of twelve (12) eight (8) students per instructional period per staff FTE. ~~(Five (5) four (4) students to one (1) adult ratio)~~ Staffing will be determined by the needs of students as identified in their Individualized Educational Program.
  4. **Secondary Resource Room** – Secondary (6-12) – Student enrollment per staff FTE in an instructional period is not to exceed an average a maximum of fourteen (14) students. ~~(More students per period may, at the teacher's discretion, be enrolled only if the resource team has a program that has shown to be effective and the administrative supervisor and the teacher have agreed upon the number of students.)~~ (Seven (7) five (5) students to one (1) adult ratio.) Staffing will be determined by the needs of students as identified in their Individualized Educational Program.
  5. **Secondary Self-contained Classroom** – Secondary (6-12) Maximum of fifteen (15) eight (8) students per instructional period per staff FTE. ~~Five (5) four (4) students to 1 adult ratio.)~~ Staffing will be determined by the needs of students as identified in their Individualized Educational Program.
  6. ~~On~~ At the secondary level, Special education staff ~~are often~~ sometimes responsible for students placed in external settings (i.e.; Skills Center, job placements, etc.), who are and not in the teacher's classroom or counted on their instructional period roster/caseload. To compensate the teacher for this added responsibility case load, shall receive a stipend of one-hundred dollars (\$100) ~~will be given~~ for any student that is in an external placement for two (2) or more periods/day for a semester.
- E. ~~Equity in case management (defined as the number of IEPs for which a staff member is responsible) will be determined at the building level evaluation team meetings.~~
- B. Students requiring one-to-one para-educators will be reviewed on a case-by-case basis to determine the effect on the adult to student ratio by building-based teams.
  - C. Full-time special education teachers will each be assigned six and one-half hours (6-1/2) of para-educator time to assist in accomplishing the goals of the program. Part time special education teachers will be assigned para educator time in accordance with their FTE. In most cases consistency of programming can best be accomplished by hiring a single person. In some instances, however, unique student needs may dictate that hiring two (2) part-time staff would better serve all students in the program. The affected teacher and staff on the evaluation team will be consulted by the building principal or special services director prior to any changes in para-educator staff assignment.
  - D. Special education teachers will be given at least one (1) half-day each quarter of release time to prepare IEP's and meet other special education requirements. In lieu of release time, staff may elect to work outside the school day, at a site of their choice, for the substitute pay rate. In such case the date will be submitted to the District before June 30. (2009)
  - E. Due to the extended workload that is required for portfolio assessments, special education teachers will be given either a half (½) day release time per student requiring a portfolio, or in lieu of release time, staff may elect to work outside the school day for the substitute pay rate. (2014)

- F. Because of lengthy conferences that sometimes exceed the normal school work day, special education and general education teachers will be given equivalent compensation time in one-half hour blocks after the student day ends.
- G. Special education teachers who are required to work beyond the contractual hours because of unusual circumstances, e.g. Court cases, will be reimbursed at the per diem pay rate.
- H. Each special education teacher will be provided the supplementary instructional materials, equipment and supplies needed to provide students a free appropriate public education (FAPE).
- I. **Speech and Language Pathologist Caseload:** Deer Park Education Association and Deer Park School District agree that an average caseload of fifty-five (55) ~~forty-five (45)~~ direct service SLP students/therapist is a reasonable caseload target. To this end staff and administration will work cooperatively via an Understanding By Design (UBD) site process to lower average caseloads to this target by one or more of the following:
  - 1. Adjusting speech qualification standards to serve the most needy students.
  - 2. Implementing innovative forms of service delivery that do not require traditional, direct service by SLP staff for all students who qualify for service.
  - 3. Generating other intervention strategies that meet student needs without compromising SLP staff expectations for a reasonable caseload.

### **Section 8: P.E., Music and Classes Providing Preparation Time for Elementary Teachers**

The District also recognizes the need for maintaining appropriate class sizes for physical education and music. These classes are also subject to class size maximums. These shall be as follows:

- A. Physical Education (Activity):
  - 1. K-5 classes will be no more than thirty (30) students.
  - 2. 6-12 classes will be no more than forty (40) students.
- B. Physical Education (Classroom): (2008)  
PE classes taught in a classroom setting (i.e., Health) will be subject to regular classroom limits for that particular grade level.
- C. Physical Education (Activity and Classroom) (2008)  
In the event a PE class is both activity and classroom (i.e., Health and Fitness), class size will be determined by combining the number of activity periods and the number of classroom periods in a given week and dividing by the number of periods in that week.

Example: If a Health and Fitness class had in a normal week three (3) activity periods (3\*40 students = 120 maximum students) and two (2) classroom periods (2\*30 students = 60 maximum students), The 120 students added with the sixty (60) students gives a maximum of 180 students per week. This number divided by five (5) would provide an overall limit of thirty-six (36) students.

Maximum class sizes in weight training will be at the PE activity class size level unless that number is a safety concern. If so, the limit will be mutually agreed upon by the DPEA and administration. (2008)

- D. Music (Vocal and Band)
  - 1. K-5 classes will be no more than thirty (30) students.
  - 2. 6-12 classes will be no more than fifty-five (55) students.'
  - 3. The District and the Association recognize the uniqueness of the Music program. Beginning classes in grades 5-6 will be organized to keep class averages below forty (40) students. Music classes may be combined at the discretion of the

music teacher with approval of the site administrator and paraeducator time will be provided to help manage the class.

4. Music classes 7-12 will be structured to maximize quality of sound and to minimize teacher supervision. Once maximums have been exceeded, the site administrator and the teacher will meet and review the situation. The physical size of the classroom will also help determine class size.
- F. Classes used to provide elementary teacher prep time will be subject to the general education class size limit with the exception of P.E. and Music. (2006)

### **Section 9: Class Size: Overload**

In the event that these maximum class sizes are exceeded for ten (10) consecutive school days, the District will correct the situation within five (5) additional school days. The following steps will be taken:

- A. Where the maximum is exceeded in the elementary schools by one (1) or two (2) students, the teacher will receive overload pay at the rate of twelve dollars and fifty cents (\$12.50) per student per day for the duration of the overload, and will be retroactive to the first day of overload. (2012)
- B. If the maximum is exceeded in an elementary classroom by three (3) students, the District will pay overload pay at the rate of twelve dollars and fifty cents (\$12.50) per student per day. Such pay will be retroactive to the first day of overload. (2012) The teacher may opt for paraeducator support in lieu of overload pay. Paraeducator support will be prorated for less than full-time programs or overloaded class periods.
- C. For the purposes of overload pay at the P-5 level, if a student is assigned to a class for part of the student's day, and he/she puts the teacher above the contractual limit, and is served for under a forty-five (45) minute time period, the teacher is credited with one period of overload pay. If the student is served between forty-six (46) minutes and ninety (90) minutes, the teacher is credited with two periods of overload pay, and if the student is served between ninety-one (91) minutes and one-hundred thirty-five (135) minutes, the teacher is credited with three (3) periods of overload pay.
- D. The District will pay the teacher with the overload two dollars fifty cents (\$2.50) per student per period at the elementary and secondary level. Such pay will begin when the option is accepted and will be retroactive to the first day of overload (2006).
- E. In no case shall a teacher be required to serve more than three (3) students over the maximum. Should a teacher, however, agree to do so, s/he shall be provided fifteen dollars (\$15) each elementary, three dollars (\$3) per period secondary (not to include activity periods) for the fourth and fifth student.
- F. The determination of whether to accept overload pay or paraeducator time will be made by the classroom teacher and will carry over to the specialist if it places the specialist's class into overload. (2013)

### **Section 10: Mainstreamed and At-Risk Students**

- A. Regular education teachers of mainstreamed students may request supplies, materials, training, and consultation time to facilitate the mainstreaming of students in their classrooms. The special education director will consider these requests in light of budgetary constraints.
- B. Teachers who have a concern about the placement of a special needs student are encouraged to share their concerns with the IEP team and to work collaboratively to seek resolution of the concern.
- C. Support for General Education Classroom Teachers of Special Education Students: the classroom teacher who is integrating disabled students, within the definition of state and federal laws, may request an in-service training session during a regular workday. Topics to be discussed may include, but will not be limited to, the following:
  1. Programming options and accommodations

2. Information concerning the student's disability and/or educational needs
3. Clarification of rights and responsibilities of stakeholders in providing learning experiences for disabled students under federal and state law.

### **Section 7: Curriculum Development**

A sound curriculum development process is critical to the integrity of the educational process and its staff. The Association will be involved in all phases of curriculum development, materials adoption and curriculum challenges of materials. To this end an Association designee will receive prior notification of proposed changes in Board policies and a chance to discuss those changes with the Superintendent or designee before the first reading.

### **Section 8: Common Planning Time**

- A. Common planning time is an opportunity for staff to work as a team, or individually with principal discretion to improve instruction. The District will make available two half day substitutes per certificated staff member for common planning that is directly related to the improvement of student learning. A team plan must be submitted to the principal for approval prior to implementation. Principal approval of the plan will be dependent on the availability of substitutes. In the event of insufficient substitutes, people on planning will be the first to be called back. Days must be used before May 15<sup>th</sup>. In lieu of release time, staff may elect to work outside the school day, at a site of their choice, for the substitute rate of pay. In such case, the date will be submitted to the District before June 30. (2009)
- B. These days may be also used for district mandated assessment support. The May 15<sup>th</sup> date will be extended to the end of the school year. A plan will not have to be submitted to the principal but the principal should be informed of the days the staff member will be taking. (2012)

### **Section 9: Daily Schedule**

Principals will seek certificated staff input into the development of the daily schedule. (2012)

### **Section 10: Staff Schedules**

Schedules for staff will be reviewed annually to ensure proper travel, prep and lunch times. If these times cannot be reasonably preserved, a remedy will be developed with District and Association representation. (2012)

### **Section 11: School Improvement Planning (SIP)**

~~The site administrator will implement an annual process that encourages all staff, including itinerants, to provide input on issues related to the School Improvement Plan (SIP).~~

### **Section 12: Equipment, Materials, and Supplies**

Any perceived inequities may be submitted to the Board by site councils, prior to December 1, for consideration in the following year's budget.

### **Section 13: Administrator Designees**

Staff will be informed, at least three (3) days in advance, of pre-planned administrative absences. Administrators are encouraged to notify staff earlier if possible. Certified (meaning teacher or ESA) principal designees will be assigned when the administrator will be gone for a day or more. A stipend of \$20 per day will be paid to administrative substitutes in addition to their regular salaries.