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500 - CERTIFICATED AND OTHER PROFESSIONAL PERSONNEL POLICIES

510 The Human Resources Division and its Organization

Human Resources, under the direction of the Superintendent, is responsible for the administration and management of the District's personnel, labor relations, benefits, EEO/Affirmative Action and employee development programs and the management of required records.

(Section 510 - Revised February 8, 1988)

520 General Personnel Policy

521 Purpose and Scope

- a. The policy of the District is to employ competent staff, unified in purpose and organization, and devoted to the cause of public education. The policy is specifically directed toward the creation of the best possible educational climate in each unit.
- b. If a conflict exists between a provision of this section of the School Board Policy Manual and a legally permissible provision of a collective bargaining agreement or the Exempt Employees' Administrative Procedures between the Board and an employee group, the provision of the collective bargaining agreement or the Exempt Employees' Administrative Procedures will take precedence.

522 Personnel Records

A confidential personnel file for each employee shall be created and maintained in the Human Resources Division and be considered property of the District. The file may be available to the employee for inspection at reasonable times upon request and in the presence of the administrator in charge or designee. Personnel files shall be released to other persons in response to proper subpoena only.

523 Advancement: Basis for Promotion

Human Resources shall establish and maintain procedures for the discovery and development of suitable candidates for promotion among District employees.

524 Nepotism

No employee may be assigned to a department or unit where the employee would be in a direct supervisory relationship with another member of the immediate family or with an individual with whom the employee has a romantic relationship. If two employees in the positions previously described marry, they shall give immediate written notice to the Superintendent of the marriage. At an appropriate time, one of the employees will be transferred to another District assignment. The decision as to which employee is transferred shall be made by the Superintendent and shall be based on the following considerations in this order:

- a. The relative needs for the respective services of the employees;
- b. The ability to offer the transferring employee comparable employment in terms of salary and services to be rendered; and
- c. The preference of the employees.

No transfer shall be made if there is no comparable employment in terms of salary and/or services to be rendered or if, in the discretion of the Superintendent or his designee a hardship to function or program would be caused by such transfer.

Members of the immediate family of Board members shall not be employed by the District, except upon written approval of the Commissioner.

Members of the immediate family of the Superintendent shall not be employed by the District except upon written approval of the Board.

(Section 524 - Revised January 9, 2006)

524.1 Fraternalization

- a. Romantic relationships between employees in supervisor-subordinate relationships increase the likelihood of sexual harassment in the workplace and create morale problems

resulting from actual or perceived favoritism. Such relationships can also create a conflict of interest where personal loyalties interfere with obligations owed to the District and its students. Because of this, these relationships are detrimental to the District's educational mission.

- b. It is misconduct, subject to disciplinary action, for a District manager, supervisor, principal or any employee in a position of authority to engage in a romantic or amorous relationship with any employee over which he/she has direct authority. It is also misconduct for any District manager, supervisor, principal or any employee in a position of authority to participate in the evaluation of, or employment decisions involving, another employee, or job applicant, with whom the supervisor has a romantic relationship.
- c. Disciplinary action for a District manager, supervisor, principal, or any employee in a position of authority who violates this policy may include involuntary transfer, reassignment, demotion, suspension or termination, as appropriate.
- d. A District employee who is engaged in a romantic relationship that is covered by this policy shall not be considered in violation for the continuous duration of the relationship, provided the relationship existed prior to the first public notice of this policy and continued through its effective date.
- e. The Superintendent shall develop procedures for those instances in which a consensual romantic relationship is desired between a District manager, supervisor, principal, or employee in a position of authority and an employee within the supervisor's direct authority. Upon request by both parties to pursue a consensual relationship, the Superintendent may take appropriate action, to include reassignment, so that the concerns addressed in this policy are avoided.

(Section 524.1 - Approved January 9, 2006)

525 Resignations

The Superintendent is authorized to accept an employee submitted resignation upon receipt. Resignations shall be submitted in writing through the immediate supervisor in a manner to be prescribed by the Superintendent or designee. Reinstatement shall be under the same conditions as a new employee, except as otherwise indicated. All resignations shall be brought to the School Board for confirmation following acceptance by the Superintendent. Reasons and any special conditions for termination shall be provided to the School Board in Executive Sessions prior to the School Board acting on the Personnel Travel Report in public session.

(Section 525 - Revised September 10, 1990)

526 Employee Travel

- a. The Board shall make provisions for reasonable employee travel for the purpose of District program improvement.
- b. District travel procedures shall be developed by the Superintendent and submitted to the Board for its information.
- c. Travel which is considered work related, (e.g., District representation at a business meeting, site visitation, an approved civic event and/or training may be made upon approval by the Superintendent or his/her designee who directly reports to the Superintendent).
- d. The Superintendent will prepare and submit a quarterly report to the School Board which includes all completed in-state and out-of-state travel for the reporting period.

(Section 526 - Revised August 8, 1994)

527 Equal Employment Opportunity

The District shall meet all federal, state, and local criteria required to be an equal opportunity employer. The District shall provide equal opportunity for employment, prohibiting discrimination in employment practices because of race, color, religion, sex, national origin, physical or mental disability, political affiliation, marital status, change in marital status, pregnancy, and age. The District shall also promote the full realization of equal employment practices through non-discrimination in hiring, placement,

promotion, transfer, demotion, recruitment, advertisement, solicitation for training, layoff, termination, and all other conditions of employment. (Section 527 - Revised November 12, 2007)

527.1 Sexual Harassment

a. It is contrary to District policy for any District employee, male or female, to sexually harass another employee by making unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- (1) submission to such conduct is made either explicitly or implicitly a term or a condition of an employee's continued employment; or
- (2) submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual; or
- (3) such conduct has the effect or purpose of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

(Section 520 - Revised February 8, 1988)

530 Certificated and Other Professional Personnel

531 Minimum Qualifications

Whenever possible, qualifications of the professional employee of the District shall exceed the minimal standards for teaching set by the State, Department of Education, the Board, and the Northwest Association of Schools and Colleges.

(Section 531 - Revised June 23, 1997)

532 Employment Procedures

532.1 Qualifications

It shall be the policy of the District to make qualifications and merit absolutely essential for appointment to a position in the schools.

532.11 Credential Requirements

- a. All teachers, principals and assistant principals/deans must meet certification requirements as set forth under the Statutes (AS 14.20.010 and .020).
- b. All administrators must meet requirements for administrators' certificates as set forth in the Alaska Statutes and regulations of DOE.
- c. Certificates may be revoked by the Department of Education for any of the causes listed in statutes (AS 14.20.030).

(Section 532.11a - Revised June 23, 1997)

532.12 Requirements Regarding Education, Experience and Age

All employees shall supply acceptable evidence of age, education and job related experience.

532.2 Recruiting and Selection

The objective in recruitment is to obtain the best qualified certificated persons with due consideration to the District's needs and the Diversity Recruitment Plan.

The Superintendent is responsible for developing and implementing a teacher selection and hiring procedure that includes community, staff, and student (high school level) input. The Superintendent will annually provide the procedures to the School Board, the Anchorage Education Association, the Anchorage Principals Association, and the public.

(Section 532.2 - Revised June 23, 1997)

532.21 Seeking Out the Candidate

The policy of the Board is to seek out candidates for certificated positions by active recruiting campaigns and, publication of position vacancies beginning with local and statewide universities and communities.

(Section 532.21 - Revised June 23, 1997)

532.22 Application Procedures

Application for teaching positions in the school system shall be in

writing and on forms provided by the office of the Superintendent.

532.23 Interviewing

When practicable, the candidates shall appear in person for an interview and such examination as the Superintendent may deem advisable. The Executive Director for Personnel and/or the appropriate supervisor may conduct such interviews.

In addition, interviews for positions at schools will be conducted in accordance with established negotiated procedures. The School Board's strong interest is to involve parents/community, staff, and students (high school level) in defining and discussing desirable characteristics of teachers and to influence the selection process as appropriate.

(Section 532.23 - Revised June 23, 1997)

532.24 Appointment

In evaluating candidates, information obtained from references, official transcripts, examinations, school committees, and such other requirements as the Superintendent may deem necessary will be considered.

The Superintendent shall make nominations for selection after review of information and recommendations bearing upon all applications.

In a continuing effort to further ensure the safety and security of students and staff, the District reserves the right to require employees or prospective employees to complete a formal background investigation, which may include a state and federal criminal background check. Some positions within the District will require state and federal criminal background checks.

The Superintendent or his/her designee will identify the positions requiring federal criminal background checks and fingerprinting. Such criteria as position descriptions and the likelihood for unsupervised personal communication or touch with students will be used. A list of these positions will be maintained in the Human Resources Department and available to the public upon request.

(Section 532.24 - Revised June 23, 1997)

(Section 532.24 - Revised June 14, 1999)

532.241 EEO Policy Statement

It shall be the policy of the District to provide equal opportunity for employment, prohibiting discrimination in employment practices because of race, color, religion, sex or national origin, physical or mental disability, marital status, change in marital status, pregnancy, and age. The District shall also promote the full realization of equal employment practices through non-discrimination in hiring, placement, upgrading, transfer, demotion, recruitment, advertisement, solicitation for training, layoff, termination and all other conditions of employment. (Section 532.241 - Revised November 12, 2007)

532.242 EEO Goals

The staff ratio on all departments and school levels shall endeavor to achieve an appropriate balance based upon the relevant labor market of the local and/or regional area labor market, as appropriate. The EEO staff shall biennially review and recommend a Diversity Recruitment Plan with timetables which shall be incorporated into a district plan by the Superintendent and recommended to the Board.

(Section 532.242 - Revised February 8, 1993)

(Section 532.242 - Revised June 23, 1997)

532.243 Legal Requirements

The District shall meet all of the federal, state, and local criteria required to be an equal opportunity employer. These requirements shall be outlined in a Districtwide Diversity Recruitment Plan, submitted to the Board biennially for review.

(Section 532.243 - Revised June 23, 1997)

532.25 Board Approval

Confirmation of all employment shall be by action of the Board upon appointment by the Superintendent.

An exception shall be in the employment of substitute teachers and other temporary employees.

532.26 Certificated Staff Contracts

Contracts between the individual teacher and the District for employment and fulfillment of professional duties shall be in accordance with applicable laws and negotiated agreements.

532.3 Duties and Responsibilities of Classroom Teachers

532.31 General

Consistent with the terms of the negotiated agreements entered into between the District and the respective bargaining units, teachers are responsible for teaching, directing and leading the students in their care in conformity with the laws of the state and the policies of the Board; cooperating with fellow teachers and other employees in carrying out Board policy and program; keeping up-to-date in techniques and practices of good teaching in their subject field; and interpreting the school program to the community.

Teachers shall enforce all rules governing the conduct, health and safety of pupils as prescribed by law, the Board, the Superintendent and the principal. Teachers are directly responsible to their building principal.

532.32 Instructional

Teachers shall follow the courses of study and use the textbooks and other instructional material prescribed by the Superintendent and approved by the Board.

532.33 Extra Class Activities

Teachers are expected to serve as sponsors and supervise extra classroom activities, support the functions and affairs of the school and participate in the broad program of school as well as the classroom.

532.34 Committee and Staff Work

Teachers shall serve on committees as directed and carry out assigned staff work. Teachers will attend all meetings called by or at the direction of the Superintendent, the principal, and/or other

administrators unless specifically excused.

532.35 Professional Growth

The Board approves the exercise and recognition of all efforts toward individual professional improvement. Consideration will be given to improving skills needed to utilize effective instructional and management practices and increase abilities to deliver instruction in priority goal areas. Such efforts must be approved by the Superintendent or designee if occurring during school hours. Teachers who continue their programs of post-graduate professional study and engage in other programs of in-service development may obtain salary increases as provided in the negotiated agreement. Requests for salary increases reflecting additional credits shall be submitted prior to September 30 of the school year.

(Section 532.35 - Revised September 12, 1983)

(Section 532.36 - Deleted September 22, 2008)

532.37 Observance of Rules and Regulations

All employees shall be responsible for observing all provisions of the law, State regulations, Board policies and rules and procedures pertinent to their activities as employees of the District.

Copies of the Alaska Statutes applicable to schools and of the State Department of Education Rules and Regulations shall be available for examination in the office of each school unit and in all administrative offices.

532.38 Learning Environment

It shall be the responsibility of the teacher to establish a physical, emotional, and intellectual environment conducive to the teaching-learning process.

532.39 Non-Instructional Duties and Responsibilities

Teachers shall keep such records and prepare and submit such reports and cumulative records as may be required by law and by regulations of the Superintendent and the Board.

532.40 Discipline

It shall be the policy of the District that all disciplinary actions be enacted with fair and equitable treatment with due process.

Failure to comply with the law or the policies, rules and regulations of the Department of Education or the District, as well as the professional teaching standards adopted by the Alaska Professional Teaching Practices Commission, could result in disciplinary action. Depending upon the severity of the infraction, one or more of the following will be administered: oral reprimand, written reprimand, suspension with or without pay, demotion, or dismissal.

Disciplinary action taken other than oral reprimand will be documented in the employee's personnel file.

532.41 Duties and Responsibilities of Other Certificated Employees

Consistent with the terms of the negotiated agreements entered into between the District and other bargaining units, other certificated employees are expected to fulfill their job responsibilities in conformance with law and Board policies.

533 Employment Conditions

533.1 Time Schedule

533.11 Work Day

Teachers shall be on duty and available at their respective stations at least thirty minutes following the student day in order to plan for classroom activities and to be available for conferences with parents, supervisors, and principals, unless specifically excused for reasonable cause by the principal. Teachers are expected to give precedence to teachers' meetings, curriculum development meetings, or assigned school duties.

533.2 Conditions Related to Work Load

533.21 Teaching Load

Assignment of personnel to schools shall be made by the Superintendent or designee. Specific assignment in the school is the responsibility of the principal.

Assignment for personnel shall be such that work loads are equalized within practical limits. The limits shall be based upon consideration for the teacher and upon the maintenance of as high a quality of instruction in each class as circumstances will permit.

533.22 Extracurricular Activities

Supervision of certain extracurricular activities which require considerable teacher time after regular school hours are contracted on a separate basis as approved in the annual school budget. Assignments are made by the administration on the basis of training, skills, and abilities.

533.23 Student Supervision

A teacher may be required with other staff members for special duty assignments. The principal has the responsibility for assigning such duties.

533.24 Instructional Materials

The Board shall provide required materials and supplies necessary for the instruction program.

533.25 Teacher Aides

The Board authorizes the use of teacher aides in the schools of the District. The Superintendent shall issue administrative regulations to ensure that the teacher aides are adequately trained to assume the duties and responsibilities assigned.

533.3 Orientation

The Superintendent may conduct an orientation program for certificated personnel, new to the District, prior to the start of school. In addition to the Districtwide orientation program, each principal shall conduct a building orientation program for new teachers assigned to the building. The orientation program shall be

designed to familiarize new staff members with the schools, the program and the community. Performance expectations will be reviewed and include effective management and instructional practices, priority District and school goals and plans, priority objectives of the curriculum and the specific rules of conduct, behavior and consequences of the school.

(Section 533.3 - Revised September 12, 1983)

533.4 Assignment and Transfers

- a. Each employee shall be assigned to a specific position by the direction of the Superintendent or designee and may be transferred to any other position as the Superintendent may direct.
- b. Transfers may be made at the initiation of the Superintendent or other administrative officer or at the request of the employee and for any purpose which, in the judgment of the Superintendent, is for the welfare of the employee or the District.
- c. As a routine procedure, each teacher and assistant principal/dean after five consecutive years in the same school unit and each principal after seven consecutive years in the same school unit will be subject to review and consideration for reassignment to another unit if such is deemed by the Superintendent to be in the best interests of the District and the instructional program.

(Section 533.4 - Revised March 23, 1987; Revised June 23, 1997)

533.5 Supervision

Supervision in the District at the unit level is the responsibility of the building principal.

The emphasis in supervision by the unit principal will be on the improvement of classroom instruction. The principal shall be given adequate clerical and professional assistance to perform these supervisory responsibilities.

533.6 Evaluation

The educational environment of the District shall include an on-going evaluation of personnel. The overall objective of evaluation shall be the improvement of instruction.

533.7 Drug Free Workplace

It is the policy of the Anchorage School District to achieve and maintain a safe work environment free from the influence of alcohol and drug abuse through education, intervention, and disciplinary measures (where appropriate) in order to assure the safety and protection of employees, students, volunteers, and facilities. The District prohibits the possession, use, distribution, or sale of alcohol or illicit drugs in the workplace or when conducting District business and requires employees and volunteers to be free from the influence of alcohol and illicit drugs upon entering District facilities or vehicles. The District cannot tolerate impairment of employee performance from the use of alcohol, drugs or other unlawful substances including abuse of prescription drugs. The Administration will establish necessary procedure or negotiate collective bargaining agreements which implement this policy.
(Section 533.7 - Added September 11, 1989)

534 Dismissal of Tenure Teacher

- a. A teacher may be suspended temporarily with regular compensation during a period of investigation to determine whether or not cause exists for the issuance of a notification of dismissal according to AS 14.20.180.
- b. Where the District has cause for dismissal pursuant to AS 14.20.170, but determines that the teacher might perform properly and effectively if subjected to a limited form of discipline, the Superintendent may, impose disciplinary sanctions less severe than dismissal or non-retention. Such discipline may include, by way of illustration, but shall not be limited to, suspension without pay for no more than ten (10) school days.

534.1 Procedure and Hearing Upon Notice of Dismissal or Non-Retention

- a. Procedures for dismissal and non-retention of certificated staff as approved by the School Board shall be maintained at each school in the District and at the Administration Building, and copies shall be provided by the District upon request to any individual without charge. These procedures shall be included in the District's elementary, middle level and secondary procedures manuals. These procedures shall conform to all state and federal legal requirements. In any case where a certificated staff member is to be dismissed or non-retained, a copy of the applicable state statute as well as the District-adopted procedures shall be appended to the notice which is served on the staff member.
- b. No change may be made in the procedures covering dismissals or non-retention without the change being presented to the School Board at two (2) regular Board meetings. Any proposed change shall go into effect after the second Board meeting unless the Board directs otherwise. The School Board may, from time to time, as it deems necessary, make such amendments or revisions to the dismissal and non-retention procedures as it seems necessary.

535 Temporary and Part-time Teachers

The Superintendent may employ substitute teachers and other temporary employees if funds have been budgeted.

535.1 Substitute Teachers

535.11 List of Approved Substitutes

The Executive Director for Personnel shall maintain a list of approved substitute teachers from which principals shall secure needed daily or short-term substitutes, utilizing the telephone answering service under procedures established by the Executive Director.

535.12 Substitute Teacher's Handbook

A Substitute Teacher's Handbook shall be issued by the Executive

Director for Personnel who shall also arrange for appropriate orientation session for substitute teachers.

535.13 Compensation for Substitutes

The substitute teacher's pay rate is provided for in the State Statutes. Substitute teachers who teach twenty or more consecutive days in the same assignment will be paid on Step 0 of the teacher's salary schedule for which they are eligible retroactive to the first day of the assignment.

535.2 Part-time Teachers

The salaries for part-time teachers will be prorated on the basis of assignments and time worked. They must have proper and valid certificates for the assignment, and meet, as appropriate, those conditions of employment as apply to the full-time teachers.

535.3 Student Teachers

The Board endorses a program for student teachers in the District. The administration shall review guidelines to give a basic pattern to the activities of the student teacher and supervising teacher in the schools. Such guidelines should supplement other material available from the participating colleges and universities.

535.4 Non-Teaching Professional Employees

Non-Teaching professional employees are central administrative or support personnel whose services aid and assist in obtaining objectives of the overall educational program. The nature of their duties is professional, technical, or supervisory. All policies and procedures for teachers, unless otherwise limited, apply to all non-teaching professional employees.

536 Benefits

536.1 Retirement Benefits

Membership in the Alaska Teachers Retirement System is compulsory for all certificated employees. Statutory provisions for the Teacher Retirement System are contained in AS 14.25.010-220.

536.2 Worker's Compensation

It is the privilege of any school employee who is injured while working for the Board to make application for worker's compensation. All employees are covered under the provisions of the Alaska Worker's Compensation Act.

536.3 Anchorage School District 403(b) Defined Contribution Plan

Employees may participate in the Anchorage School District 403(b) Defined Contribution Plan in accordance with the eligibility and other provision of the Plan.

(536.3 Revised April 27, 2009)

537 Absences

537.1 Sick Leave

537.11 Refunds

Deductions from pay for absence on account of illness in excess of the number of days of sick leave already earned shall be refunded at the end of the school year in accordance with sick leave time that has been accrued by the end of such year. A final accounting will be made at the end of the contract year.

537.12 Summer School Teachers

Teachers who teach in summer school do not accumulate additional sick leave. However, in case of illness, they may draw upon any accrued sick leave balance.

537.13 Doctor's Certificate

A teacher absent from school on sick leave for more than three (3) days shall submit to the Superintendent a statement from a medical doctor attesting to the illness. This requirement may be waived if in the judgment of the Superintendent or his/her designee it seems expedient and just to do so.

537.14 False Statement

A false statement by the teacher regarding sick leave is sufficient grounds for cancellation of the contract and the revocation of the certificate in accordance with applicable laws.

537.2 Personal Leave

In order to assure continuity of the educational program, principals may deny requests for personal leave if the number of teachers requesting such leave for any one day exceeds ten percent of the teaching staff or otherwise threatens to disrupt the educational program of the school. Personal leave is exclusive from sick leave.

537.3 Emergency Leave

At the discretion of the Superintendent and upon application in a manner prescribed by the Superintendent, emergency leave up to three (3) days in any one school year (noncumulative) may be granted to certificated employees in case of:

- a. Serious illness or accident requiring hospitalization (or other confinement as required by medical authority) of a member of the immediate family requiring the presence of the employee, and/or death of a member of the family of the employee, providing such leave is not covered by sick leave policy of the District. The immediate family shall be considered as persons having relationship of husband, wife, father, mother, son, daughter, brother, and/or sister.
- b. Professional emergencies: These might include absences or delays because of weather or serious accident, including transportation delays occurring during the school year on a trip which was organized and executed for School District business or for business of one of the closely allied School District organizations or by official direction of the Office of the Governor, the Department of Education, or other State or Federal agency. Employees absent on the first day of contract will not be eligible for leave unless prearrangements are made and approved by the Superintendent's Office.
- c. Additional emergencies: Other emergencies or situations requiring the presence of the employee and not otherwise covered may be granted with the employee receiving the difference in pay between his regular salary and the expense of providing a substitute.

- d. Summer school teachers do not qualify for emergency leave that applies to the regular school year.

537.4 Jury/Witness Duty

Any regularly contracted teacher or other full-time employee of the District required to be absent from duty pursuant to an order of any court of competent jurisdiction, either as a witness or juror, shall receive regular salary for such period of absence less any amounts received for such service. The payroll adjustment will be made at the first payroll period following such service.

537.5 Reporting Procedures

Any employee who must be absent from duty shall notify his/her immediate supervisor of the intended absence in advance if possible, giving reasons for such absence. Failure to give proper notification may result in loss of pay regardless of sick leave or other coverage. In the event that provisions are stipulated for reporting absence to a central answering service, a secondary notification of the immediate supervisor will be required.

537.6 General Matters

537.61 Unapproved Absences

Unapproved absences will not be tolerated and will be considered sufficient cause for discharge. Employees shall not be entitled to any leave benefits while they are engaged in a strike, work stoppage or other interruption of work. District approval of any absences during a strike will be granted only if the employee submits written documentation acceptable to the Administration within one working day after the employee returns to work.

537.62 Loss of Pay

Absence or suspension from duty of any employee shall result in loss of pay for the period of the absence, except as otherwise provided.

537.63 Employment of Substitutes

Teachers may not directly employ substitute teachers, nor in any instance may teachers pay their substitutes directly. Procedures for notification of absence or intended absence and for utilization of the substitute service shall be implemented by the personnel office.

537.64 Absence From Buildings or Meetings

a. Buildings

Employees shall not be absent from their respective buildings during duty hours except on official District business or by permission of their immediate supervisor.

b. Meetings

Employees shall not be absent from any meetings called by or at the direction of the Superintendent unless excused.

538 Leaves

538.1 Maternity

Accumulated sick leave may be used for maternity and related illnesses, subject to a physician's written supporting statement. The teacher shall be eligible to return to work with written consent of the attending physician.

538.2 Military

538.21 Temporary

Temporary military service leave may be granted to regular full-time employees during the school year upon written request of the military authority. A copy of the orders shall also be filed with the personnel division.

538.22 Leave for Extended Military Service

Any regular certificated employee with an active military obligation who enters military service, voluntarily or involuntarily, shall upon request be granted a leave of absence without pay for the period of enlistment or required service.

Any member of the certificated staff on leave of absence without pay pursuant to this section shall be returned to active employment at the beginning of the next school year if the employee:

- a. Makes application within ninety (90) calendar days after release from active military duty.
- b. Presents evidence of an honorable separation from active military service.
- c. Passes a physical examination.
- d. Holds a valid Alaska Teacher's Certificate.

For purposes of seniority and placement on the salary schedule, years of absence in the military service of the United States pursuant to this section shall be allowed not to exceed five years.

538.3 Sabbatical Leave: State Funded

538.31 Statutory References

- a. Alaska Statutes 14.20.280 - 350
- b. Article 4 of the Compiled School Laws

538.4 District Career Development Leave

538.41 Nature and Purpose

Career development leave may be granted by the Board to District employees to update skills that will assist the District in meeting needs in critical program areas.

538.42 Eligibility and Authority

- a. All regularly appointed members of the teaching, supervisory, classified, professional, or administrative staff shall be eligible for career development.
- b. Career development leave shall be granted at the discretion of the Board on the recommendations of the Superintendent.

538.43 Leave Period

Career development leave may be granted for a period not to exceed one year.

538.44 Administration

538.441 Funding

- a. Budget - The Board may budget each year to implement the career development program, a sum equal to one percent (1%) of the District budget for all salaries.
- b. Fund distribution - Seventy percent (70%) of the budgeted funds will be used for salary and transportation to fund individual recipients. Twenty-five percent (25%) of budgeted funds will be used for in-service education. Five percent (5%) will be used for consultant services to evaluate new programs or practices established to correct or upgrade critical program areas.

538.442 Establishing Needs

The Board shall establish a list of critical program needs each year based on approved goals and objectives.

538.443 Applications

Applications for career development leave shall be made upon a form furnished by the Superintendent. Applications for a year's leave must be filed six months prior to the beginning of the leave. Requests for a semester's or one-half year's leave must be filed with the Superintendent's Office four months prior to the beginning of the leave date. Proposals for a lesser period of time must be filed one month prior to the beginning of the leave date. For emergency purposes the Superintendent may waive the requirements in Policy 538.44.

538.444 Review and Recommendations

- a. Two standing committees, program/teaching personnel and support services personnel, composed of seven members each, will review all proposals and applications in their respective areas and submit recommendations to the

Superintendent for School Board approval. These standing committees shall be the committees which, in conjunction with the Superintendent, have identified the critical program needs of the District.

- b. Review criteria - In determining appointments for career development leave, the following items shall be considered:
 - (1) The extent of the applicant's professional study, growth, contribution to the critical program area and successful service preceding the request for leave.
 - (2) The extent to which plans or proposals submitted will meet a given critical program area need.
 - (3) A former grantee will not be eligible for a second leave until subsequent service in the District is equal to six (6) times the length of the first leave period.
 - (4) To be eligible an applicant must have been in service with the District a minimum of one year or three times the length of leave time requested, whichever is greater.

538.445 Compensation and Benefits

- a. The recipient of a career development leave shall be paid on the contracted salary for the year in which the leave is granted, as well as the round trip fare from Anchorage to the place of study.
- b. Recipients shall not be employed while on approved leave.
- c. A recipient of a career development leave shall receive any regularly scheduled salary increases. A grantee shall also be subject to any salary reductions which may be ordered.
- d. A career development leave will not be considered a break in service for tenure, retirement, accumulated sick leave or other employee benefit purposes.

538.446 Return From Leave

- a. A recipient upon return to the District will be assigned to the former position if it is available or a similar position for

which he/she is qualified. However, no guarantee is made that the employee will be returned to his/her former assignment.

- b. Beneficiaries of career development leave shall agree to conduct workshops and institutes, as directed by the Superintendent, related to critical program areas for which the leaves were granted.
- c. A recipient who does not serve for a period of time equal to twice the length of leave time after his/her return to the District shall return all monies paid to him/her unless his/her failure to perform services is due to sickness, injury or death.

538.447 Right of Appeal

The Board does not review the applications turned down by the Career Development Leave Committee, but such applicants have a right to appeal to the Board.

538.5 Professional Leave

538.51 Short-term Leave for Professional Purposes

- a. Members of the certificated staff may be granted short-term leave for professional purposes upon written request to the Superintendent or designee. Granting of such requests will be conditioned upon reasons for which will benefit and promote the program of the District and/or the welfare of its employees. Application shall be forwarded at least one week in advance of the intended absence through the immediate supervisor on a leave request form.
- b. Such leaves of absence will usually be granted without loss of pay, but in some circumstances such as where other compensation may be afforded or where the time will be devoted to furthering interest of a particular organization or group (i.e., lobbying) arrangements will be made for adjusted compensation.

538.6 Extended Leaves of Absence

- a. Any certificated employee who has completed three (3) full years of service in the District upon application in a manner designated by the Superintendent and upon approval of the Board may be granted a leave of absence without pay extending from one month to not more than one year for reasons of personal illness or severe illness in the immediate family; for professional study, which may include but not be limited to travel and visitations; for exchange teacher assignment; for a foreign teaching assignment; for Peace Corps; or similar assignment; or for compelling personal reasons.
- b. Requests for leaves for absences of illness must be accompanied by a doctor's statement. Leaves of absence for professional improvement, other assignment, or compelling personal reasons must be accompanied by a statement of plans or justification.
- c. Not more than 5 percent of the certificated staff may be granted leave in any one year.
- d. A teacher on approved leave of absence without pay does not lose privileges under the non-retention statutes, and the year does not constitute a break in service under teacher's retirement statutes.
- e. A leave of absence granted under this section may be renewed for not-to-exceed one year on the recommendation of the Superintendent and approval of the Board.

538.7 Return From Leave

538.71 Extended Leaves

- a. Certificated employees on leaves of absence granted under Policies 538.1, 538.22 and 538.6 must provide notice of intention to return or not to return at least 90 days preceding the end of the semester prior to their expected return.
- b. Returning staff members will not be guaranteed immediate employment unless they can return to duty on the first day of the school year or on the first day of the second semester of the school year as the case may be. Otherwise, the teacher will be placed on the eligibility list for the first position open.

Staff members cannot be guaranteed a return to their specific former assignments, but each will be assigned to a position for which he/she is qualified.

538.72 Sabbatical Leave

In the case of sabbatical leaves the teacher must return to duty no later than the start of the semester following completion of the sabbatical leave year and must fulfill at least one year of duty or be subject to repayment of sabbatical leave funds.

538.73 Physical Examinations

In the case of leaves of absences for illness, over two months, the employee(s) shall be required to file such independent medical examinations as the Superintendent or designee may require.

538.74 Early Return

Return from leave of absence prior to the stipulated expiration date may be permitted at the discretion of the Superintendent, subject to Board ratification.

538.75 Failure to Return

Failure to return to duty when a position is made available following a leave shall cause forfeiture of all contractual rights and benefits.

(Section 539 became part of Policy Section 900 - September 22, 2008)

540 Publications

No employee may receive royalties on books or materials of which that employee is the author and which may have been sold for use in the school system during that employee's tenure of office in the organization unless permission has been officially granted by the Board.

Employees who wish to sell or receive royalties on books or materials sold to the School District for use in the school system for which the employee is the author, shall apply for a Conflict Of Interest Waiver in accordance with the provisions found in Section 725.223 and .224.

Waivers granted under this provision will be for the entire fiscal year.

If the Conflict Of Interest condition continues into a subsequent fiscal year, a new Request for Waiver shall be filed at the beginning of that fiscal year.

(Section 540 - Revised June 22, 1998)

(Section 541 became part of Policy Section 900 - September 22, 2008)

542 Right to Criticize

No rule or regulation of the Commissioner of Education, a local school board, or local school administrator may restrict or modify the right of a teacher to engage in comment and criticism outside school hours relative to school administrators, members of the governing body of a school or school district, any other public official, or any school employee to the same extent that any private individual may exercise the right. (AS 14.20.095)