

# Philomath School District 17J

Code: GCPC  
Adopted: 1986  
Orig. Code: GCPC

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## Retirement of Staff

All district employees will retire at age 70, or at the end of their contract year upon reaching that age, unless special exceptions are made at district discretion, or as otherwise provided by law.

END OF POLICY

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Legal Reference(s):

ORS 332.107

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Corrected 5/2/19

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# Philomath School District 17J

Code:  
Adopted:

GCPC/GDPC

## Retirement of Staff

(Version 2)

To assist the district in its planning efforts, staff members considering retirement are encouraged to notify the district as early as possible, preferably at the beginning of the school year in which the retirement will take place.

The superintendent will develop administrative regulations as may be necessary for district employees who retire, begin receiving benefits from the Public Employees Retirement System and request continued district employment.

END OF POLICY

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### Legal Reference(s):

ORS Chapter 237

ORS Chapter 238

ORS 243.303

ORS 342.120

Consolidated Omnibus Budget Reconciliation Act of 1985, 29 U.S.C. §§ 1161-1169 (2012).

Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001-1461 (2012).

OR. CONST., art. IX, §§ 10-13.

Corrected 5/2/19

# Philomath School District 17J

Code: GCPC/GDPC-AR  
Revised/Reviewed:

## Reemployment of PERS-Retired Staff

*(On Hold for Melissa's recommendations)*

### I. Current District Employees

- a. In the event that a district employee retires<sup>1</sup> and begins receiving benefits from the Public Employees Retirement System (PERS) prior to the end of the school year, he/she may be retained by the district in his/her current position [or another position as deemed appropriate by the district] until the end of the school year subject to the provisions of Oregon Revised Statute (ORS) 238.082 and the provisions of any applicable collective bargaining agreement.
- b. All requests for continued employment by the district must be submitted in writing to the superintendent no later than [30 calendar days before the end] [60 calendar days before the end] of the school year in which the individual has retired from PERS. Requests will be considered based on the following criteria:
  - (1) [Length of service. The individual must have been employed by the district a minimum of [five] years prior to retirement;
  - (2) Need. The individual must [be licensed and have experience in a specialty area such as special education, math, science, music, Title I, English as a Second Language, English Language Learners, Non-English Proficient Students or other such areas of identified district shortage of qualified teachers or other district need] [have specific training or skills in an area of identified shortage of classified personnel as determined by the district];
  - (3) Evaluations. The individual must have satisfactory performance evaluations. An individual who has been on a program of assistance for improvement or with written directives or written reprimands within the past [five] years will not be considered for retention by the district.]
- c. A licensed employee's change in PERS status shall not, in and of itself, constitute a break in service. A classified employee's seniority will be determined as defined in the collective bargaining agreement, Board policy or individual employment contract.
- d. Decisions to retain the individual in his/her current position will be made by the superintendent. The individual will not be required to submit to established district application and interview procedures. Decisions to retain the individual in a position other than the individual's current position, such as a new position or another vacant position will be made

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<sup>1</sup> The period or periods of employment by one or more public employers of any person receiving a service retirement allowance shall not total 1,040 hours or more in any calendar year; but if the person is receiving old-age, survivors or disability insurance benefits under the federal Social Security Act, the person may be employed for the number of hours for which the salary equals the maximum allowed for receipt of the full amount of those benefits to which the person is entitled. The limitations on employment imposed above do not apply to a retired member who has attained normal retirement age and who is employed as a teacher or as an administrator, as those terms are defined in ORS 342.120, if the retired member is employed by a school district or education service district that has its administrative office located within a county with a population of not more than 35,000 inhabitants according to the latest federal decennial census.

by the [Board]. The individual may be required to submit to established district application and interview procedures for such positions, as determined by the Board.

- e. A retired member who is employed as a classified employee or teacher, as defined by ORS 342.120, will remain in the same collective bargaining unit that included the member before retirement, unless retirees or the assignments (e.g., temporary, substitute, etc.) are specifically excluded from the collective bargaining agreement.
- f. Salary, benefits and length of contract for early retirees who are excluded from the bargaining unit will be determined by the [Board] [superintendent].
- g. Employees who retire during the school year shall not serve past June 30. Decisions on continued employment past that date will be made by the district on a case-by-case basis.
- h. The maximum hours of work performed by an employee shall not exceed 1039 hours. The employee shall be responsible for submitting a record of his/her hours worked to payroll, at least monthly, to assure that the period of employment does not exceed the statutory maximum.
- i. The district will immediately submit an Employment of PERS Retiree form to the PERS office as required by law.

## 2. Former District Employees

A district employee who retired and left district employment may apply for a subsequent vacancy with the district under the same application and interview procedures as all other applicants for district employment.

Corrected 5/2/19

# Philomath School District 17J

Code:  
Adopted:

GCQBA

## Copyrights and Patents

The Board asserts the district's proprietary rights to publications, instructional materials and other devices prepared by district employees during their paid work time. The Board also recognizes the importance of encouraging its professional staff to engage in professional writing, research and other creative endeavors. Publications, articles, materials, models and other items produced by district personnel for district use with district time, money and facilities as part of an employee's job responsibilities remain the property of the district.

The district will apply for copyrights and patents when deemed appropriate by the superintendent. Employees will be expected to cooperate in the district's efforts.

In the event that an employee produces items described above partly on his/her own time and partly on district time, the district reserves the right to claim full ownership. The employee may petition the district for assignment of copyright or patent rights. Employees will not attempt to copyright or patent such items without the knowledge and consent of the superintendent.

END OF POLICY

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### Legal Reference(s):

[ORS 332.745](#)

Copyrights, 17 U.S.C. §§ 101-1332; 19 C.F.R. Part 133 (2016).  
Patents, 35 U.S.C. §§ 1-376 (2012).

Corrected 5/2/19

# Philomath School District 17J

Code: GCQE  
Adopted: 10/09/06  
Orig. Code: GCQE



## Student Teachers

*(This belongs in the agreement with the IHE and/or an internal process.)*

### Student Teaching

Philomath School District, in cooperation with participating institutions, assumes a professional obligation for student teacher training and for the promotion of professional, educational standards. It is recognized that this is a dual obligation, and that certain guidelines must be established at the secondary and elementary levels. It is suggested that the following standards be met:

1. Proper written application and personal interview with the building principal and prospective cooperating staff member.
2. Cooperating staff teacher must have had two years previous successful teaching experience and/or have approval of the building principal.
3. It is recommended that prospective student teachers make every effort to observe the term prior to their student teaching term.
4. Middle and elementary schools:
  - a. The number of student teachers in any one term should not exceed one-third of the total teaching staff.
  - b. No teacher should have more than one student teacher per year.
5. High School:
  - a. The number of student teachers in any one term should not exceed one-third of the total teaching staff.

If at all possible, the preparation period of the student teacher should correspond with at least one of the supervising teacher's prep periods.

It is recognized that our primary concern is for the welfare of the students in the Philomath School District. Standards regulating student teacher experiences shall be established at both the secondary and elementary levels:



## Internship Program

Interns are those who are completing their training program in an Oregon college or university, and who shall be employed to serve the district in a program approved for the placement of interns. Those so employed have professional obligations to the college or university, in addition to those relating to the school district.

END OF POLICY

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### Legal Reference(s):

ORS 332.505

Corrected 5/2/19

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# Philomath School District 17J

Code: GD  
Adopted: 10/09/06  
Orig. Code: GD

## Classified Staff/Classified Staff Positions

*(Just like coaching, requires no board approval.)*

All classified staff will be hired by the superintendent, on the recommendation of the site supervisors/principals. Vacancies will be advertised and posted, according to terms of the current Master Contract. ~~The maintenance supervisor will be consulted regarding custodial/maintenance applicants.~~

*(Supervisor is included in the first sentence.)*

~~The person recommended to the Board will be the best qualified applicant for the position in the judgment of the superintendent and site supervisors/principals.~~

~~Credit for prior experience may be given on the salary schedule, as determined advisable by the administration.~~

~~The administration is authorized to temporarily place regular employees prior to the formal presentation of new employees to the Board, and to hire temporary and emergency replacement employees without Board presentation.~~

END OF POLICY

### Legal Reference(s):

ORS 257.051  
ORS 257.505  
ORS 659.805  
ORS 659.850  
ORS 659.009  
ORS 659.029

ORS 659.030  
ORS 659A.142  
ORS 659.145  
ORS 659.233  
ORS 659.236  
ORS 659.309

ORS 659A.409  
OAR 581-02-0045  
OAR 581-02-2405

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2016).  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2016).  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2016).  
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2016).  
Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2016).  
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2016).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2016).  
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212 (2016).  
Title II of the Genetic Information Nondiscrimination Act of 2008.  
Americans with Disabilities Act Amendments Act of 2008.

Corrected 5/2/19



# Philomath School District 17J

Code: GDA  
Adopted: 11/15/10  
Orig. Code: GDA

## Instructional Assistants

Instructional assistants shall be hired by the Board upon recommendation of the superintendent. *(These are classified positions not board approval required.)*

All instructional assistants must:

1. Have a high school diploma or the equivalent;
  2. Have completed at least two years of study at an institution of higher education; or
  3. Obtained an associate's or higher degree; or
  4. Met a rigorous standard of quality, and can demonstrate, through a formal state or local academic assessment or para-professional certificate program, knowledge of, and the ability to assist in instructing, as appropriate, reading/language arts, writing and mathematics or reading readiness, writing readiness and mathematics readiness.
- 5.2. Be at least 18 years of age or older; and
- 6.3. Have standards of moral character as required of teachers.

In addition to the above, instructional assistants providing translation services must have certification demonstrated proficiency and fluency, knowledge of and ability to provide accurate translations from a language other than English into English and from English into another language.

The district will require individuals newly hired as Title I instructional assistants who have met another district's academic assessment as set forth by the No Child Left Behind Act of 2001, to meet the district's academic assessment standards.

Instructional assistants<sup>1</sup> who work in Title IA programs/schools and provide instructional support must have:

<sup>1</sup> Instructional assistants may be assigned to: (1) provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher; (2) assist with classroom management, such as organizing instructional and other materials; (3) provide assistance in a computer laboratory; (4) conduct parental involvement activities; (5) provide support in a library or media center; (6) act as a translator; or (7) provide instructional services to students while working under the direct supervision of a teacher. Instructional assistants may assume limited duties that are assigned to similar personnel who are not working in a program supported with Title IA funds, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

These requirements do not apply to an instructional assistant: (1) who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in Title IA programs by acting as a translator; or (2) whose duties consist solely of conducting parental involvement activities.

1. Completed at least two years of study at an institution of higher education; or
2. Obtained an associate's or higher degree; or
3. Met a rigorous standard of quality, and can demonstrate, through a formal state or local academic assessment or para-professional certificate program, knowledge of, and the ability to assist in instructing, as appropriate, reading/language arts, writing and mathematics or reading readiness, writing readiness and mathematics readiness.

The district ~~will~~ ~~will not~~ require individuals newly hired as Title IA instructional assistants who have met another district's academic assessment to meet the district's academic assessment standards.

The general responsibilities of an instructional assistant shall be outlined in a job description. The major responsibility shall be to assist the classroom teacher, specialist or supervisor with instruction. The instructional assistants shall be under the supervision of the appropriately licensed classroom teachers, specialist or supervisor. Other supporting tasks may include, but not limited to, are: clerical support, student control, personal care, translation or parent ~~and~~ family involvement activities and media center or computer laboratory support.

Instructional assistants shall not be used by the district or teacher as substitute teachers. The responsibility for classroom supervision remains with the teacher at all times.

#### END OF POLICY

#### Legal Reference(s):

ORS 337.107  
ORS 337.505

ORS 337.120  
OAR 581-027-2400(2)

OAR 581-037-0005 to -0025  
OAR 584-000-0005(27),(41)

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212 (2017).  
Title II of the Genetic Information Nondiscrimination Act of 2008.  
Section 503 of the Rehabilitation Act of 1973.

Corrected 5/2/19

# Philomath School District 17J

Code: GDCAA  
Adopted: 10/09/06  
Orig. Code: GDCAA

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## Employment Provisions

Employment provisions will be discussed with each member of the classified staff prior to hiring by the superintendent or designee. Questions regarding employment provisions may be discussed with the supervisor as the need occurs. A probationary period of twelve (12) months employment will be required for new employees or after a change in classification of continuing employees.

Wages, hours, and working conditions negotiated in a collective bargaining agreement will be followed by the district, as required by law. Other conditions, not in conflict with the negotiated agreement will continue to be established by the Administrative Rules of the district.

END OF POLICY

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Corrected 5/2/19

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# Philomath School District 17J

Code: GDJ  
Adopted: 1986  
Orig. Code: GDJ

## Coaching Position Criteria -- For Non-District-Employee Applicants

1. Applicant must complete a coaching application.
2. Applicant must have a valid first-aid card.
3. Applicant must exhibit expertise in the sport, including at least one of the following:
  - a. Experience as a player.
  - b. Experience as a coach in the sport.
  - c. College courses related to coaching the sport.
  - d. Recommendation of a knowledgeable person not employed by Philomath School District.
4. Applicant must be recommended for employment by the head coach and/or building athletic director.

END OF POLICY

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### Legal Reference(s):

ORS 332.107

Corrected 5/2/19

# Philomath School District 17J

Code: GDJA  
Adopted: 10/09/06  
Orig. Code: GDJA

## Coaching -- Plan of Action

*(Not policy but internal process.)*

1. It shall be the goal of the Philomath School District to work with coaches to remediate problem areas **during a season**. Early identification of potential problems will result in improved job performance by members of the coaching staff.
2. The Plan of Action shall consist of the following:
  - a. Identification of problem areas;
  - b. Coaches response;
  - c. Corrective steps to be taken;
  - d. Timelines;
  - e. Goals to be achieved;
  - f. Remediation.

The Plan of Action shall be initiated in a timely manner by the District Athletic Director, the Assistant Athletic Director, or the Activities Director. Also, a member of the coaching staff may request assistance through a Plan of Action to resolve an area of concern.

Copies of the Plan of Action shall be filed with the building principal, the superintendent, and the Board of Education.

END OF POLICY

### Legal Reference(s):

ORS 332.107

Corrected 5/2/19