

Philomath School District 17J

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

Standards for Competent and Ethical Performance of Oregon Educators

The statements specified in this policy, the district teacher's evaluation document, the position description for teachers, and the criteria in the State Standards for Competent and Ethical Performance of Oregon Educators and the Fair Dismissal Law will be the Standards of Competent Performance for the Licensed teaching staff in the district.

- A. The purposes of the district teacher evaluation procedure are:
- a. To provide direction for improvement of instructional and professional performance.
 - b. To determine minimal standards of competent performance for teaching staff.
 - c. To provide a uniform basis for the district's teacher evaluation program.
 - d. To aid in making the decisions regarding retention or non-retention of teachers as employees in the district.

END OF POLICY

Legal Reference(s):

OAR 584-020-0000 to -0035

Corrected 5/2/19

Philomath School District 17J

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Standards for Competent and Ethical Performance of Oregon Educators

Application of Rules

1. Oregon Administrative Rules were adopted by the Teacher Standards and Practices Commission (TSPC) in accordance with Oregon Revised Statutes.
2. Oregon Administrative Rules (OAR) may be used as criteria by the TSPC in matters pertaining to the revocation or suspension of licenses issued by the commission under Oregon Revised Statutes (ORS) or the discipline of any license holder or any person who has held a license at any time within five years prior to issuance of the notice of charges under Oregon Revised Statutes.
3. The commission determines whether an educator's performance is ethical or competent in light of all the facts and circumstances surrounding the educator's performance as a whole.
4. The commission will promptly investigate complaints:
 - a. The commission may at its discretion defer action to charge an educator against whom a complaint has been filed under Oregon Revised Statutes when the investigation report indicates that disciplinary action against the educator is pending at the local district level or when criminal charges are pending or are likely to be filed against the educator. In considering whether to defer action to charge an educator, the commission shall consider all relevant circumstances including the nature and seriousness of the allegations and whether the educator is currently employed as a teacher or school administrator;
 - b. The executive secretary shall regularly inform the commission of the status of any complaints on which the commission has deferred action.

Definitions

The following definitions apply to Oregon Administrative Rules unless otherwise indicated by context:

1. "Administrator": any educator who holds a valid Oregon administrative license or registration and who works in a position requiring an administrative license;
2. "Competent": discharging required duties as set forth in these rules;
3. "Educator": any licensed or registered or certified person who is authorized to be engaged in the instructional program including teaching, counseling, school psychology, administering and supervising;
4. "Ethical": conforming to the professional standards of conduct set forth in these rules;
5. "Sexual conduct": any conduct with a student that includes, but is not limited to:

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- a. The intentional touching of the breast or sexual or other intimate parts of a student;
 - b. Causing, encouraging or permitting a student to touch the breast or sexual or other intimate parts of the educator;
 - c. Sexual advances or requests for sexual favors directed towards a student;
 - d. Verbal or physical conduct of a sexual nature when directed toward a student or when such conduct has the effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment; or
 - e. Verbal or physical conduct which has the effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment.
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6. "Sexual harassment": any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - c. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.
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7. "Teacher": any person who holds a teacher's license as provided in ORS 342.125.

The Competent Educator

The teacher or administrator demonstrates a commitment to:

1. Recognize the worth and dignity of all persons and respect for each individual;
2. Encourage scholarship;
3. Promote democratic and inclusive citizenship;
4. Raise educational standards;
5. Use professional judgment; and
6. Promote equitable learning opportunities.

Curriculum and Instruction

The competent educator measures success by the progress of each student toward realization of personal potential as a worthy and effective citizen. The competent educator stimulates the spirit of inquiry, the acquisition of knowledge and understanding and the thoughtful formulation of goals as they are appropriate for each individual.

The competent teacher demonstrates:

1. Use of state- and district-adopted curriculum and goals;

2. Skill in setting instructional goals and objectives expressed as learning outcomes;
3. Use of current subject matter appropriate to the individual needs of students;
4. Use of students' growth and development patterns to adjust instruction to individual needs consistent with number of students and amount of time available; and
5. Skill in the selection and use of teaching techniques conducive to student learning.

The competent administrator demonstrates:

1. Skill in assisting individual staff members to become more competent teachers by complying with state law, rules and lawful and reasonable district policy and contracts;
2. Knowledge of curriculum and instruction appropriate to assignment;
3. Skill in implementing instructional programs through adequate communication with staff; and
4. Skill in identifying and initiating any needed change which helps each student toward realization of personal learning potential.

Supervision and Evaluation

The competent educator is a student of human behavior and uses this knowledge to provide a climate that is conducive to learning and that respects the rights of all persons without discrimination. The competent educator assumes responsibility for the activities planned and conducted through the district's program and assists colleagues to do the same. The competent educator gathers relevant information and uses it in the planning and evaluation of instructional activities.

The competent teacher demonstrates:

1. Multiple ways to assess the academic progress of individual students;
2. Skill in the application of assessment data to assist individual student growth;
3. Procedures for evaluating curriculum and instructional goals and practices;
4. Skill in the supervision of students; and
5. Skills in differentiating instruction.

The competent administrator demonstrates:

1. Skill in the use of assessment data to provide effective instructional programs;
2. Skill in the implementation of the district's student evaluation program;
3. Skill in providing equal opportunity for all students and staff; and

4. Skill in the use of employee and leadership techniques appropriate to the assignment and according to well-established standards which ensure due process for the staff for which the administrator is responsible for evaluating.

Management Skills

The competent educator is a person who understands students and is able to relate to them in constructive and culturally competent ways. The competent educator establishes and maintains good rapport. The competent educator maintains and uses records as required and as needed to assist the growth of students.

The competent teacher demonstrates skills in:

1. Establishing and maintaining classroom management that is conducive to learning;
2. Using and maintaining district property, equipment and materials appropriately;
3. Using and maintaining student records as required by federal and state law and district policies and procedures;
4. Using district and school business and financial procedures; and
5. Using district lawful and reasonable rules and regulations.

The competent administrator demonstrates:

1. Leadership skills in managing the school, its students, staff and programs as required by lawful and reasonable district policies, rules and regulations, state and federal laws and regulations and other programs as assigned and assures that staff is informed of these requirements; and
2. Skills in planning and staff utilization.

Human Relations and Communications

The competent educator works effectively with others — students, staff, parents and patrons. The competent educator is aware of the ways the community identifies with the school, as well as community needs and ways the school program is designed to meet these needs. The competent educator can communicate with knowledge, clarity and judgment about educational matters, the school and the needs of students.

The competent teacher demonstrates:

1. Willingness to be flexible in cooperatively working with others; and
2. Skill in communicating with students, staff, parents and other patrons.

The competent administrator demonstrates:

1. Skill in helping students, staff, parents and other patrons to learn about the school, the district and its program;

2. Skills in communicating district and school goals to staff and the public;
3. Willingness to be flexible in cooperatively working with others; and
4. Skill in reconciling conflict.

The Ethical Educator

The ethical educator is a person who accepts the requirements of membership in the teaching profession and acts at all times in ethical ways. In so doing the ethical educator considers the needs of the students, the district and the profession.

The ethical educator, in fulfilling obligations to the student, will:

1. Keep the confidence entrusted in the profession as it relates to confidential information concerning a student and the student's family;
2. Refrain from exploiting professional relationships with any student for personal gain or in support of persons or issues; and
3. Maintain an appropriate professional student-teacher relationship by:
 - a. Not demonstrating or expressing professionally inappropriate interest in a student's personal life;
 - b. Not accepting or giving or exchanging romantic or overly personal gifts or notes with a student;
 - c. Reporting to the educator's supervisor if the educator has reason to believe a student is, or may be, becoming romantically attached to the educator; and
 - d. Honoring appropriate adult boundaries with students in conduct and conversations at all times.

The ethical educator, in fulfilling obligations to the district, will:

1. Apply for, accept, offer or assign a position of responsibility only on the basis of professional qualifications and will adhere to the conditions of a contract or the terms of the appointment;
2. Conduct professional business, including grievances, through established lawful and reasonable procedures;
3. Strive for continued improvement and professional growth;
4. Accept no gratuities or gifts of significance that could influence judgment in the exercise of professional duties; and
5. Not use the district's or school's name, property or resources for noneducational benefit without approval of the educator's supervisor or the appointing authority.

The ethical educator, in fulfilling obligations to the profession, will:

1. Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty;

2. Extend equal treatment to all members of the profession in the exercise of their professional rights and responsibilities; and
3. Respond to requests for evaluation of colleagues and to keep such information confidential as appropriate.

END OF POLICY

Legal Reference(s):

OAR 584-020-0000 to -0035

Corrected 5/1/19

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Philomath School District 17J

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Teacher -- Position Description Duties and Responsibilities

(Belongs in a job description or staff handbook not policy.)

The primary duty of the teacher shall be to direct and guide the learning of students, including attention to their instruction, discipline, safety, health, and care while under the supervision of the school. The teacher will consider cultural, behavioral, motivational, learning style differences and abilities.

RESPONSIBILITIES TO THE STUDENTS:

1. Develop and maintain a classroom environment conducive to learning.
2. Plan activities and instructional programs that meet the individual needs of students.
3. Assist students to reach their greatest potential.
4. Employ a variety of instructional techniques and media.
5. Set high instructional goals and be responsive to State Benchmarks.
6. Maintain accurate student records
7. Be alert and respond to opportunities for the guidance needs of the individual student through open communication, as an advisor of a group, where applicable, and by being available to students before and after school.
8. Thoroughly prepare through systematic use of lesson plans for the time management of the classroom and the needs of a substitute, teacher's aide, volunteer aide, or consultant.
9. Assist the administration in creating a positive and safe environment. Maintain control of the classroom, supervisory areas, and assemblages of students.
10. Protect the students' privacy and safety through following district procedures.
11. Take all commercial endeavors involving students for approval to the administration.
12. Communicate the values of classroom instruction and extra-curricular participation to students.

RESPONSIBILITIES TO THE PARENTS AND COMMUNITY

1. Keep parents informed of student progress through accurate reporting of achievement.
2. Positively represent the schools in the community and be aware of the impact of all communications on the public.
3. Encourage and model the development of responsible citizenship in the students.

RESPONSIBILITIES TO THE SCHOOL AND DISTRICT

1. Know the District policies, rules and regulations, and guidelines pertaining to their positions, and follow them conscientiously.
2. Demonstrate responsibility, integrity and a cooperative attitude toward the District by actions--and in communications with students, staff, administration, and public.
3. Honor contractual commitments, maintain building and classroom equipment, conscientiously use supplies and materials, and keep the necessary records as required by the District.
4. Cooperate with other staff and the administration in the development, coordination, and evaluation of instructional programs and the preliminary selection of textbooks, equipment, and other materials.
5. Accept the responsibilities for co-curricular supervisory duties as agreed.
6. Act responsibly and appropriately in emergency situations, and when disciplinary action is needed regarding a student or group of students.
7. Maintain a professional attitude toward supervisors, giving adequate notification of need for absence, and responding cooperatively to reasonable requests from the administration.
8. Attend faculty and other required staff meetings and follow the rules of the individual buildings to which they are assigned,
9. Be an active participant in school activities.
10. Become familiar with the overall program of the school.

RESPONSIBILITIES TO THE PROFESSION

1. Obtain certification and fulfill the registration requirements of the District.
2. Be receptive to constructive criticism and actively seek help and advice when professional performance is evaluated.
3. Dress and act professionally--providing a model for students to raise the standards for appropriate behavior.
4. Maintain the confidentiality of student communications and records, and understand the legal rights of students and parents.
5. Observe ethical standards of professional conduct.
6. Continue to grow and develop professionally.
7. Understand the legal rights and responsibilities of your profession.

END OF POLICY

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Philomath School District 17J

Code: GCAAA-AR
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Licensed Staff -- Employment Provisions

(Not policy. Belongs in a staff handbook. Some language maybe in a collective bargaining agreement.)

Employment provisions will be discussed with each member of the licensed staff, prior to hiring by the superintendent and the building principal. A copy of the negotiated agreement will be provided and discussed by the administration upon request.

If a contract agreement has not been reached for the year for which the employee is being hired, the negotiated agreement in effect at the time of employee hiring will be provided and an appropriate explanation given to the employee.

The current negotiated agreement will be followed by the district, as required by law. Other conditions, not in conflict with that agreement, will continue to be established by Board policy and by the building principals, as they appear in the building handbooks and other printed communications.

The assignment of staff is a function of the administration, and the district specifically reserves the right to assign family members employed by the district to different buildings, if, in the administration's judgment, that action is desirable.

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Philomath School District 17J

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Personal Electronic Devices and Social Media -- Staff

Staff possession or use of personal electronic devices on district property, in district facilities during the work day and while the staff is on duty in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the superintendent or designee. At no time, whether on duty or off duty, will a personal electronic device be used in a manner that interferes with the educational learning environment of the school, jeopardizes school safety, or compromises the staff's duty and responsibility for the supervision of students.

~~For the purposes of this policy, "online communication" has the meaning as set forth under Oregon Revised Statute (ORS) 163.431. The statute defines online communication as "communication that occurs via telephone text messaging, electronic mail, personal or instant messaging, chat rooms, bulletin boards or any other transmission of information by wire, radio, optical cable, cellular system, electromagnetic system, or other similar means." (This term is not used in this policy.)~~

A "personal electronic device" is a device, not issued by the district, which is capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data.

Supervisors may require personal electronic devices be silenced or turned off during instructional time, while on duty or at any other time where such use of the device would cause a disruption of school activities or interfere with work assignment. Staff members shall not use any device to record students (photograph, audio, video, etc.) unless there is a legitimate educational purpose. The district will not be liable for loss or damage to personal electronic devices brought to district property and district-sponsored activities except as allowed by association agreement.

Staff members, while on duty and off duty, will utilize social network sites (e.g., Facebook, MySpace and Twitter), public websites and blogs, judiciously by not posting confidential information about students, staff or district business¹. Staff members, while on duty and off duty, will treat fellow employees, students and students' families with respect while posting in order to prevent substantial disruption in school².

Communication with students using social network sites and/or personal electronic devices will be appropriate, professional, and relevant to the student's education, or their participation in school-related athletics or activities. Communication with students using social network sites and/or personal electronic devices regarding non-school-related matters is prohibited during work hours and considered ill-advised anytime. If communicating with students electronically regarding school-related matters, the preferred

¹ Nothing in this policy is intended in any form to limit the right of employees to engage in protected labor activities via the use of social media.

² Nothing in this policy is intended in any form to limit employees, who are the parent or legal guardian of a student, from exercising their rights as parents or legal guardians.

communication method is district e-mail, using mailing lists to a group of students rather than individual students. If a staff member is to communicate with students through texting, a best practice is they are to use their school email account group text. Students can text a staff member's email account and then the staff member can build a group response or reply to individuals. This helps provide transparency and limit staff exposure. Communicating with groups of students rather than individual students, and including parents whenever possible when appropriate, is strongly recommended regardless of the communication method utilized.

Staff are subject to disciplinary action up to and including dismissal for using a personal electronic device in any manner that is illegal or violates the terms of this policy. Staff actions on social media websites, public websites, and blogs, while on or off duty, which disrupt the school environment, are subject to disciplinary action up to and including dismissal.

For the purposes of this policy, "visual depiction" and "visual recording" have the meaning as it appears in Oregon Revised Statute ORS 163.665. In addition, "sexually explicit conduct" includes the meaning as set forth in Oregon Revised Statute ORS 163.665. (Added to legal references.)

The possession, manufacturing, duplicating, disseminating, transferring, displaying or sharing of obscene, pornographic or otherwise illegal visual depictions or visual recordings of sexually explicit conduct, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing etc.) may constitute a crime under state and/or federal law. Any person possessing, manufacturing, duplicating, disseminating, transferring, displaying or sharing obscene, pornographic or otherwise illegal visual depictions or visual recordings, will be reported to law enforcement and/or other appropriate state or federal agencies.

The superintendent shall ensure that this policy is available to all employees.

END OF POLICY

Legal Reference(s):

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| ORS 167.057 | ORS 163.687 | ORS 320.051 |
| ORS 16.432 | ORS 16.688 | ORS 33.072 |
| ORS 16.433 | ORS 16.689 | ORS 33.107 |
| ORS 163.665 | ORS 16.693 | ORS 33.840 |
| ORS 16.684 | ORS 16.700 | |
| ORS 16.686 | ORS 320.011 | [OAR 584-020-0000 to 0035] |

Copyrights, Title 17, as amended, United States Code; 19 C.F.R. Part 133 (2014).
Melzer v. Bd. Of Educ., City of New York, 336 F.3d 185 (2d Cir. 2003).
Ross v. Springfield Sch. Dist., No. FDA 80-1, aff'd, 56 Or. App. 197, rev'd and remanded, 294 Or. 357 (1982), order on remand (1983), aff'd, 71 Or. App. 111 (1984), rev'd and remanded, 300 Or. 507 (1986), order on second remand (1987), revised order on second remand (1988).

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