



**GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

DATE OF MEETING: **December 6, 2022**

TITLE: **Study of Proposed Recommendations Developed through the Meet and Confer Process for:**

- 1. Revisions to Governing Board Policy GDL (Support Staff Workload)**
- 2. Adding Regulation GDL-R and Annual Training of Supervisors to Address Working Condition Concerns Raised by Support Staff Employees**
- 3. Revisions to Governing Board Policy GCCA (Professional Staff Sick Leave)**
- 4. Revisions to the Budget-Neutral Leave Buy-Back Program for Classroom Teachers and Recommendation to Continue It as a Pilot Program in FY 22-23**
- 5. Revisions to Regulation GCK-R (Professional Staff Assignments and Transfers)**
- 6. Revisions to Governing Board Policy GCCH (Professional/Support Staff Bereavement Leave)**
- 7. Adding District Regulation GCCH-R**

BACKGROUND:

Representatives of the Amphitheater Education Association and the District Administration have met and conferred regarding policies and employee working conditions in accordance with the timelines set forth in Policy HD. The teams began with a joint survey of employees to gather input on matters to be discussed during the policy portion of meet and confer. They used this data to identify the specific employment policies and working conditions discussed by the meet and confer committee.

Support Staff Committee Recommendations

The support staff committee met on policies specific to support staff employees. This committee developed the following recommendations:

1. Revisions to Governing Board Policy GDL (Support Staff Workload)
2. Adding District Regulation GDL-R
3. Recommending the Associate Superintendents and Human Resources Manager coordinate to train supervisors on procedures for addressing pay for employees asked to work outside of their regular pay classification.

Their recommendations include changes designed to improve communication between departments to avoid employee burnout and facilitate discussions about other options for filling vacant positions by:

- Establishing processes that facilitate discussions about assigned job responsibilities between employees and their immediate supervisor,

- Clarifying procedures for support staff given additional responsibilities normally performed by a staff member whose position is currently vacant to qualify for overtime pay when needed, and
- Ensuring that the Human Resources Department is made aware of employees tasked to cover duties normally performed by a vacant position and/or an absent employee so that discussions can occur that may help avoid employee burnout to retain current employees.

A copy of this recommendation is attached to this agenda item as Exhibit A.

Professional/Certificated Committee Recommendations

The Professional/Certificated Committee met on policies specific to professional and certificated employees. This committee developed the following recommendations:

1. Revisions to Governing Board Policy GCCA (Professional Staff Sick Leave)
2. Revisions to the Budget-Neutral Leave Buy-Back Program for Classroom Teachers and continuing it as a Pilot Program in FY 22-23
3. Revisions to Regulation GCK-R (Professional Staff Assignments and Transfers)

Their recommendations include:

- Clarify the number of sick leave days accrued annually for academic year professional and certificated staff to be 7 days because the current policy language relied on formula that, while it set a maximum accrual of 7 sick leave days per year for academic-year professionals and certificated staff, the number could not be easily identified simply by reading the policy.
- Revising the Pilot Program to make it consistent with Policy GCCH and to simplify the process for classroom teachers to request to sell back unused leave days at the end of each school year.
- Revising Regulation GCK-R to simplify the process for professional and certificated staff to apply for positions at different District sites after they accept a contract for the ensuing year.

Copies of these recommendations are attached to this agenda item as Exhibit B.

Joint Meet and Confer Recommendations

In addition, the Professional/Certificated Committee and the Support Staff Committee met jointly to discuss improving the process for bereavement leave requests. The joint meet and confer committee prepared the “Joint Recommendation of the Meet and Confer Team for Personnel Policy Matters” attached as Exhibit C. The recommendation includes:

1. Revisions to Governing Board Policy GCCH (Professional/Support Staff Bereavement Leave)
2. Adding District Regulation GCCH-R

The recommendations include:

- Clarifying the definition of a “dependent person”,
- Confirming permissions to be excused from duties without deduction from bereavement leave when the decedent is both a family member and a co-worker, and

- Adding a regulation to explain the process for requesting bereavement leave.

Employee Input on Recommendations

Following the conclusion of the meet and confer policy process, the joint teams presented both recommendations to District personnel for approval and comment using Survey Monkey. The survey was sent to all District employees in the week after Thanksgiving. Employees may provide input up to the Monday preceding the Board meeting, and the survey results will be shared during the Board meeting.

RECOMMENDATION:

These recommendations are presented for the Board’s initial study. The policy revisions will be presented at a later meeting for adoption.

Finally, appreciation is expressed to the meet and confer facilitators and the members of the meet and confer teams who spent many hours together pursuing the resolution of issues of concern through a positive, interest-based approach. They committee members are:

**Amphitheater Education Association
Professional Staff Team**

Rebecca Green
Patricia Hebert
Robert Young

District Professional Staff Team

Matt Munger
Chris Trimble
Michelle Tong

**Amphitheater Education Association
Support Staff Team**

Chad Guymon
Vanessa Harding
Robert Wacker

District Support Staff Team

Richard LaNasa
J.J. Letts
Angela Wichers

Facilitators

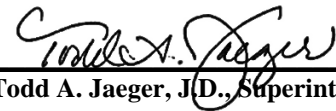
Tassi Call
Chris Gutierrez

INITIATED BY:



Michelle H. Tong, J.D.,
Associate to the Superintendent and General Counsel

Date: November 29, 2022



Todd A. Jaeger, J.D., Superintendent

EXHIBIT A

**RECOMMENDATION OF THE MEET AND CONFER
CLASSIFIED/SUPPORT STAFF COMMITTEE FOR
PERSONNEL POLICY MATTERS**

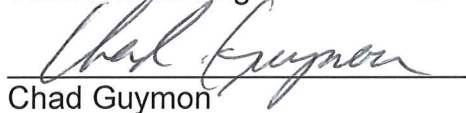
We, the undersigned members of the Classified/Support Staff Policy Meet and Confer Committee have met and conferred and now jointly recommend the attached revisions to Policy GDL and propose adding a regulation GDL-R. In addition, we recommend that the Associate Superintendents and Human Resources Manager coordinate at the beginning of the fiscal year to train supervisors on procedures for addressing pay for employees who are asked to work out of their regular pay classification.

DATED this 21st day of November, 2022

**For the Amphitheater Education
Association: Support Staff Team**



Vanessa Harding



Chad Guymon

Robert Wacker

**For the Amphitheater School
District: Support Staff Team**



Richard LaNasa



Angela Wichers

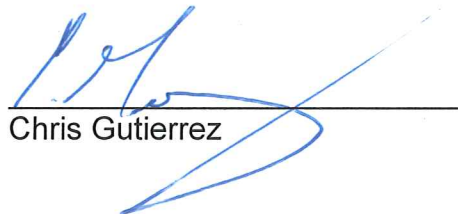


JJ Letts

Certification of Accuracy by Classified/Support Staff Facilitator



Tassi Call



Chris Gutierrez

GDL SUPPORT STAFF WORKLOAD

Load/Scheduling

The District's academic functions, student services, and physical plant operation do not permit a single work schedule for all departments. Supervisors are responsible for establishing work schedules appropriate to their respective areas, in accordance with the following:

The workday:

The normal full-time workday for staff employees is eight (8) hours per day and a one (1) hour unpaid lunch period. Any exception to this schedule must be submitted to the human resources division in writing, listing the group or individuals affected by the Fair Labor Standards Act.

The workweek:

A. The standard workweek for full-time staff members is forty (40) hours in any one (1) calendar week.

B. The federal Fair Labor Standards Act specifies that once the beginning time of an employee's workweek is established, it remains fixed regardless of the schedule of hours worked by the employee. Any exception to the established schedule outlined in the above paragraph is to be submitted to the human resources department to assure compliance with the federal statutes.

C. For purposes of this policy, the workweek for full-time staff members and for part-time staff members is considered to be seven (7) consecutive calendar days between 12:01 a.m. each Sunday and 12:00 midnight the following Saturday.

D. The schedules of part-time staff members (hours and days) shall be submitted to and be subject to approval by the director of human resources. No changes shall occur in the schedules of part-time staff members without approval by the director of human resources, except that short-term changes in scheduling may be approved by the employee's supervisor, provided that written notification of the change shall be provided to the director of human resources within three (3) days of such change. For the purposes of this policy, the phrase short-term changes means any change for not more than one (1) month within any three (3)-month period.

E. For the purposes of determining vacation days for part-time staff members, the schedule approved by the Director of Human Resources shall be the schedule utilized, and short-term changes shall not be considered.

Wage and Hour Law

Applicability:

The District is subject to the federal Fair Labor Standards Act (FLSA), including the regulations relating thereto, and state law regulating the payment of wages. The District is committed to meeting all of its obligations arising from these wage and hour laws and requests the cooperation of its employees in achieving this objective.

District obligations:

The District shall compensate all employees who are not exempt from the wage and hour provisions of the FLSA (hereinafter "nonexempt" employees) (1) at an hourly rate at least equal to federal minimum wage for each hour worked in a workweek up to and including forty (40) hours and (2) at an hourly rate equal to at least one and one-half (1 1/2) times their regular hourly rates for all hours worked in excess of forty (40) hours in a workweek (subject to the "occasional or sporadic" exception set forth herein). In addition, the District shall make, keep, and preserve accurate records regarding its employees' wages, hours, and conditions of employment.

Employee categorization:

An "exempt" employee is one who is not subject to the minimum wage and overtime provisions of the FLSA. A "nonexempt" employee is one who is subject to the minimum wage and overtime provisions of the FLSA. The classification of an employee as "exempt" or "nonexempt" is based upon the duties and responsibilities actually performed by an employee and shall be made by the District in accordance with the guidelines set forth in the federal statutes and regulations concerning the two (2) categories of employees. Although the categorization shall be made on an individual basis with regard to each employee, in general, employees whose primary duties are of a professional, executive, or administrative nature will be "exempt" employees, while most other employees will be "nonexempt" employees. Questions of employees regarding their categorization as "exempt" or "nonexempt" should be directed to their immediate supervisors. If a supervisor is unable to address an employee's questions, the supervisor shall consult with the District's human resources office to obtain the requested information.

"Workweek" defined:

The workweek of a District employee is considered to be the seven (7) consecutive calendar days between 12:00 a.m. each Sunday and 12:00 midnight, the following Saturday.

Overtime:

The District recognizes that there are occasions on which District employees may be expected to work overtime; however, these occasions should be determined in advance by a supervisor, based upon the supervisor's assessment of the circumstances, rather than upon an individual employee's belief that overtime work is required. In this regard, an employee may not work more hours than the employee is scheduled to work in a workweek without explicit prior consent by the employee's supervisor. The District also recognizes the fact that an emergency situation may arise that may result in the employee working overtime. In such case, the employee should make an attempt to obtain authorization. If the employee is unable to get prior authorization, the employee must inform the supervisor as soon as possible of the emergency situation. Non-exempt employees who are assigned additional responsibilities normally performed by a staff member whose position is currently vacant can communicate with their supervisor about the option to work overtime if needed. It is the supervisor's responsibility to communicate with the human resources department on overtime requests. An employee who works in excess of the number of hours that the employee is scheduled to work without the explicit prior consent by the employee's supervisor, except as noted above, is subject to disciplinary action, including dismissal, pursuant to District Policy GDQD and Regulation GDQD-R.

Time records:

Nonexempt District employees are expected to keep time records of the hours worked for the District. Hours worked for the District and work hours include 1) all scheduled hours when the employee is actually present for work or actually performing services for the District, whether on District premises or elsewhere; and 2) all unscheduled hours when the employee is performing services for the District. All District employees who are required to record their work hours must do so accurately and honestly. An employee should not record hours that the employee has not actually worked, nor should an employee refrain from recording hours that the employee has actually worked. The failure on the part of employees to accurately report their hours worked on their time records may constitute the falsification of a public document, punishable by criminal prosecution. An employee who does not accurately and honestly record the time worked on the employee's time records is subject to disciplinary action, including dismissal, pursuant to District Policy GDQD and Regulation GDQD-R.

On-call time:

An employee who is required to remain on call on the District's premises or so close thereto that the employee cannot effectively use that time for the employee's own purposes shall be considered to be working while on call. As a result, a nonexempt employee will be compensated for such time,

and it will be included in the calculation of the hours worked by the employee in a workweek for purposes of determining overtime compensation that may be due. An employee who is not required to remain on the District's premises but is merely required to leave work where the employee may be reached shall not be considered to be working while on call. Such employee is not entitled to compensation for such time, and it will not be included in the calculation of the hours worked by the employee in a workweek for purposes of determining overtime compensation that may be due.

"Occasional or sporadic" exception:

If a District employee undertakes, on an occasional or sporadic basis, and solely at the employee's option, part-time employment for the District that is in a capacity different from any capacity in which the employee is regularly employed with the District, the hours such employee is employed in performing the different part-time employment shall be compensated at the regular hourly rate for such services and shall be excluded from the calculation of the hours worked by the employee in a workweek for purposes of calculating overtime compensation that may be due.

Volunteers:

A District employee may volunteer to perform services for the District for which the employee will receive no compensation, provided that such volunteer services are not the same type of services that the employee is employed to perform for the District. A volunteer may, under certain circumstances, be paid expenses, reasonable benefits, or a nominal fee without jeopardizing volunteer status. A District employee who also performs volunteer services for the District is not an employee with regard to the volunteer services performed; therefore, the employee will not be compensated for the calculation of the hours worked by an employee in a workweek for the purposes of calculating overtime compensation that may be due.

Questions:

Questions of employees concerning [assigned job responsibilities or wage-and-hour obligations](#) and procedures should be directed to the employees' immediate supervisors. Supervisors who need additional information in order to adequately answer employees' questions should direct their inquiries to the District's human resources office.

Interpretation:

This policy is not intended to provide, nor should it be interpreted as providing, any rights, benefits, or interests to District employees in excess of those provided in accordance with federal and state law.

Employee Pay

Overtime pay:

A. The standard workday normally will consist of eight (8) hours, and the standard workweek normally will consist of forty (40) hours. Employees normally are not expected to work more than eight (8) hours per day or forty (40) hours per week. However, if the need arises, employees will be expected to work overtime. If, on occasion, extenuating circumstances prohibit an employee from working overtime, said employee may be excused with approval by the supervisor.

B. In accordance with state and federal labor laws, it shall be the policy of the District that each employee who does work in excess of forty (40) hours per workweek shall be compensated at one and one-half (1 1/2) times the normal rate of pay.

C. If an employee is on paid leave of any type during the workweek, with the exception of Board-approved paid holidays and professional leave, said leave time will not be computed as "hours worked" as it pertains to overtime.

D. *Approval.* Prior approval must be obtained from the human resources division before overtime is authorized. Emergency situations requiring overtime will be considered on an individual basis.

Premium pay:

A. Employees whose regularly scheduled workweek is Monday through Friday who work on a Saturday or Sunday will receive premium pay at the rate of one and one-half (1 1/2) times their normal rate of pay regardless of the total hours worked during the workweek, except employees being compensated for extracurricular activities.

B. *Varying workweeks.* A regularly scheduled workweek may differ from that described above. For example, if an employee is normally scheduled to work Wednesday through Sunday, said employee's normal "weekend" would be Monday and Tuesday, and work performed on either day would be paid at the premium pay rate of one and one-half (1 1/2) times the normal rate of pay, regardless of the total hours worked during the regularly scheduled workweek, except employees being compensated for extracurricular activities.

C. *Paid holiday.* Eligible employees who cannot be excused from their duties on a holiday are entitled to receive holiday pay in addition to their regular straight-time rate of pay for all hours worked within their standard shifts at two (2) times their normal hourly rate of pay.

GDL-R
SUPPORT STAFF WORKLOAD

REGULATION

An immediate supervisor must contact the Human Resources Manager to discuss alternatives for filling positions when either of the following occurs:

1. an employee is tasked to cover duties normally performed by a vacant position in a different work classification for more than ten (10) consecutive work days, or
2. an employee is tasked to cover duties normally performed by an employee in a different work classification for more than thirty (30) nonconsecutive work days in a fiscal year.

EXHIBIT B

**RECOMMENDATION OF THE MEET AND CONFER
PROFESIONAL/CERTIFICATED COMMITTEE FOR
PERSONNEL POLICY MATTERS**

We, the undersigned members of the Certificated/Professional Policy Meet and Confer Teams have met and conferred and now jointly recommend the attached revisions to Policy GCCA (Professional Staff Sick Leave) and the Budget Neural Leave Buy-Back Program for Classroom Teachers (For Pilot in Current Fiscal Year)

DATED this 14th day of November, 2022

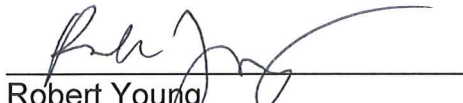
**For the Amphitheater Education
Association: Professional Staff Team**



Rebecca Green



Patricia Hebert



Robert Young

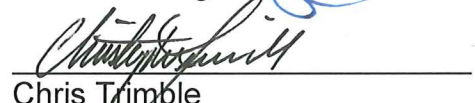
**For the Amphitheater School
District: Professional Staff Team**



Matt Munger



Michelle Tong



Chris Trimble

Certification of Accuracy by Professional/Certificated Facilitator



Tassi Call

GCCA PROFESSIONAL STAFF SICK LEAVE

Note: Per Governing Board Policy GCCAA (Professional/Support Staff Earned Paid Sick Time), the first forty (40) hours of accrued sick leave each fiscal year will also be deemed "Earned Paid Sick Time" in accordance with the "Fair Wages and Healthy Families Act." Please see Policy GCCAA (Professional/Support Staff Earned Paid Sick Time) for its application.

Definition

The term personal illness includes pregnancy, childbirth, pregnancy-related issues, and other related medical conditions, and all conditions described as "Family Illness; Quarantine," set forth below.

Eligibility

Professional staff personnel employed twenty (20) hours per week or more are eligible for accumulated sick leave. All instructional and other certificated personnel may use any or all accrued sick leave in approved cases, or in substitution for family and medical leave when such leave is taken because of an eligible employee's own serious health condition that renders the employee unable to perform the functions of the assigned position or the serious health condition of the employee's spouse, child or parent in accordance with Policy GCCC (Family and Medical Leave Act [FMLA]). If an employee elects to substitute paid sick leave for family and medical leave in accordance with Policy GCCC restrictions on the use of paid sick leave set forth in this policy that are contrary to those set forth in Policy GCCC shall not apply. An employee electing such substitution need only comply with any notice requirements applicable to the use of paid sick leave, and not with the more stringent notice and certification requirements set forth in Policy GCCC, unless the employee's paid leave period is followed by a period of unpaid family and medical leave. The limitations on the use of sick leave applicable to employees who have abortions shall remain applicable to the substitution of paid sick leave for family and medical leave taken in accordance with Policy GCCC.

Earned Sick Leave

Any new employee or an employee who has accrued less than five (5) days of sick leave from previous years shall, for the purposes of any personal illness during the first five (5) months of any contract year, be deemed to have already earned those first five (5) days of sick leave. If an employee uses those five (5) days of sick leave but does not subsequently earn them, and if employment with the District is terminated for any reason, the District shall not be entitled to recover for those used sick days. In an instance when an employee in this category shall begin the term of service with the District after the beginning of the school year, the length

of sick leave for that year shall be prorated according to the months remaining in the school year.

Sick leave may be taken in increments of one (1) hour.

Deductions upon Exhaustion of Sick Leave

A nonexempt staff employee will not be paid for hours that such employee is absent from work due to personal illness, once the employee has exhausted the employee's total earned sick leave and allotted personal leave.

When an exempt staff employee has exhausted the employee's total earned sick leave and allotted personal leave, the District may deduct pay from such employee's salary for the time of the employee's absence in excess of the employee's earned sick leave and allotted personal leave.

Unpaid Extended Leave

An employee who has used the total allowed paid sick leave may be placed on an unpaid extended leave of absence status by applying for such leave in accordance with Policy GCCC, Professional Staff Leaves of Absence without Pay.

Sick Leave Accrual

Full-time employees accrue sick leave at the rate of four (4) hours per pay period until the employee reaches their maximum annual sick leave accrual for the contract year. Sick leave accrual is prorated by start date and full-time equivalency (FTE). It will not be based on addendum pay, stipends, bonuses, overtime or shift differentials.

Eligible Academic Year employees may accrue a maximum of ~~eight~~ seven (87) days per contract year ~~(0.03847 hours of sick leave for each hour worked)~~. Eligible Fiscal Year employees may accrue a maximum of ten (10) days per contract year ~~(0.03847 hours of sick leave for each hour scheduled to be worked)~~. ~~Eligible employees working on the any other work schedule will be credited sick leave that shall be computed at the same ratio that the number of employed hours bears to full-time employment.~~

There is no limit to the amount of sick leave that may rollover to the next fiscal year to hold as be accrued sick leave for future use. Accrued sick leave may be accumulated from year to year.

Upon retirement, resignation or termination for inadequacy of classroom performance or other cause, the District will pay for all unused sick leave at the rate established by the Governing Board for such purpose.

The procedure for payment of unused sick leave will be as set forth in the fringe benefit schedule for certificated employees. Due to the nature of this program,

employees who seek voluntary resignation, after accepting their contracts and prior to working during the contract year, will not be eligible for this option.

Approved Sick Leave

Eligible employees may be granted sick leave when they are unable to perform their duties because of personal illness, injury or because they must be absent from work for the purpose of obtaining health-related services not available before or after regular working hours.

Approved Absence without Pay

With approval by the supervisor, employees not eligible for sick leave benefits may be absent without pay because of personal illness, injury or for the purpose of obtaining health-related services available only during regular working hours.

Procedures and Controls

Sick leave should be approved in advance whenever possible. Sudden illness that results in absence must be reported to the employee's supervisor as early as possible. Family and medical leave taken pursuant to Policy GCCC is subject to the requirements and procedures set forth therein.

Should there be reason to believe that sick leave is being abused, the employee's supervisor may require verification of illness by means of a physician's statement or through other appropriate methods. If it is determined by the District that sick leave is being abused, such sick leave benefits shall be reduced or terminated with respect to that occurrence immediately.

The Human Resources Department shall periodically review sick leave usage and submit reports to supervisors.

Illness during Authorized Holiday

If an authorized holiday falls within a period of absence caused by illness, sick leave for the holiday period will not be charged to an employee. It is the responsibility of the employee to report such illness to the immediate supervisor.

Addendum

Federal policy, when in conflict with this policy, shall apply to staff members who are employed under federal regulations.

Family Illness; Quarantine

Family Illness:

With approval by the principal or the supervisor, an employee may be absent because of illness in the family (family to be defined by the employee) provided that such absence shall be deducted from the employee's sick leave.

At an employee's option, paid sick leave for family illness may be substituted for all or a portion of otherwise unpaid family and medical leave taken by an eligible employee to care for a spouse, child or parent with a serious health condition pursuant to Policy GCCC. Such substitution is not subject to principal or supervisor approval.

Should there be reason to believe that absence due to family illness is being abused, the employee's supervisor may require verification of illness by means of a physician's statement or through other appropriate methods. If it is determined that the absence due to family illness is being abused, such sick leave benefits shall be reduced or terminated with respect to that occurrence immediately.

Quarantine:

In case of absence due to quarantine, the employee may receive full pay to the extent of all earned sick leave. Once all accumulated leave is exhausted, an employee who remains under quarantine will be granted leave of absence without pay for the duration of the quarantine.

Substitute

The Human Resources Department is called to make provision for a substitute as may be needed.

Pilot Program

1. The program is only available to certificated teachers who are [classroom teachers and require a substitute when they are absent from work in order to keep the leave buy-back program budget neutral. assigned a class roster.](#)
2. Certificated teachers must meet the following prerequisites to participate in the teacher leave buy-back program:
 - a. Teacher must fulfill their teacher contract and work until the final day of school that year, and
 - b. Teacher must satisfy one of the following criteria:
 - i. Teacher will have accumulated more than ~~thirteen~~ [twelve](#)¹ (~~13~~12) days of unused leave by the end of the school year and is seeking reimbursement for unused leave *in excess* of those ~~thirteen-twelve~~ (~~13~~12) days, or
 - ii. Teacher has given notice that teacher will separate from the District at the end of the school year (*i.e.*, resignation, retirement, or teacher is on a short-term teacher contract and is not being renewed), and will not work for the District during the next fiscal year.
3. [Qualified teachers may not cash out any paid leave that drops their leave balance below twelve \(12\) days.](#)
- 3.4. Qualified teachers may be reimbursed annually for all but three (3) days of unused paid leave ~~accumulated-earned~~ during the current academic year. Three (3) leave days must be rolled into their leave balance. The reimbursement rate shall be equal to the lowest approved daily rate of pay for a District certificated substitute teacher.
- 4.5. The reimbursement rate is based on an eight (8) hour day and may be reimbursed at a prorated hourly rate where unused leave does not equate to a full day.
- 5.6. Each year that a teachers chooses to participate in the leave buy-back program, they must submit a reimbursement request form to the Payroll Department before the last ~~contract~~ day ~~of school~~ [by attaching the form to an email from the employee's District email to the Chief Financial Officer or delivering the form to the Payroll Department in person or through intraoffice mail.](#) Reimbursement will not occur automatically, and a new form is required each year that the teacher participates in the leave buy-back program. If reimbursement is not requested, unused personal leave will automatically convert to sick leave in accordance with Regulation GCCB-R and carry-forward to the next fiscal year.
- 6.7. Teachers who apply to participate in the leave buy-back program waive all rights to [receive sick leave donations through](#) ~~participate in~~ the District's sick leave donation program.
- 7.8. The leave buy-back program does not apply to unused bereavement leave, leave acquired by donation, leave carried forward from a prior fiscal year, or to leave accumulated for supplementary assignments, summer work, or otherwise accumulated outside of the

¹ A full-time teacher qualifies to accumulate paid leave hours that are the equivalent of ~~eightseven~~ (87) sick leave days and five (5) personal leave days each year. See Policy GCCA, Policy GCCAA, and Regulation GCCB-R. This means that a teacher will need to have completed one year of continuous employment for compliance with option (b)(i).

employee's teacher work contract.

~~8.9.~~ Days for which such payment is received shall be deducted from the accumulated sick leave balance.


~~9.10.~~ Payment as provided herein will be issued by the end of the fiscal year.

**RECOMMENDATION OF THE MEET AND CONFER
PROFESIONAL/CERTIFICATED COMMITTEE FOR
PERSONNEL POLICY MATTERS**


We, the undersigned members of the Certificated/Professional Policy Meet and Confer Teams have met and conferred and now jointly recommend the attached revisions to Regulation GCK-R (Professional Staff Assignments and Transfers).

DATED this 14th day of November, 2022


**For the Amphitheater Education
Association: Professional Staff Team**



Rebecca Green



Patricia Hebert



Robert Young

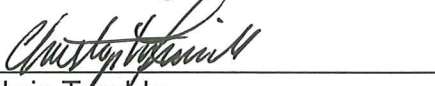
**For the Amphitheater School
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Matt Munger



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Chris Trimble

Certification of Accuracy by Professional/Certificated Facilitator



Tassi Call

GCK-R

REGULATION

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

Intra-Site Reassignment

When a vacancy opens within the academic year at a school the principal shall have the option to fill the position with a current staff member. The principal will notify all certificated staff of the vacancy no later than its official posting date.

Voluntary Transfers

Requested transfer by teachers from one (1) school of the District to another is encouraged and is an acceptable practice in accordance with the prescribed factors and conditions set forth herein.

~~A. Voluntary transfer forms will be made available to all instructional personnel at the school site and upon request from the human resources office.~~ A request for transfer will include authorization of the selection committee to have access to correspondence, evaluations, and any other information contained in the employee's personnel file that may be pertinent to the hiring process.

B. Internal employees applying for a temporary position within the district may do so with a letter of intent. Employees are encouraged to update their resume and/or application.

~~C. Internal applicants for an open vacancy will submit an updated resume when seeking a permanent transfer.~~

CD. Internal applicants for an open vacancy will submit an updated application when applying for a promotion.

DE. Instructional personnel will be eligible for voluntary transfer only once during the school year.

EF. A teacher desiring a voluntary transfer to another position(s) for the ensuing school year may submit an internal application, via the district's on-line applicant tracking system, when the specific position(s) of interest has been posted on the district's employment website. Voluntary transfer requests must be submitted by May 15 unless another later deadline is set by Human Resources. ~~A teacher desiring a voluntary transfer either to a general location or locations or to a specific position for the following school~~

~~year shall submit a request in writing, including a rationale for the transfer, to the human resources division not later than February 1 of each year unless another deadline for such applications has been set. Requests for voluntary transfer will not be accepted after the February 1 deadline.~~

~~G. Should a specific position become available after February 1, a teacher may submit a transfer request for that one (1) specific position not later than May 15 of the year in which such position is open unless another later deadline is set by the Director of Human Resources. Each teacher is limited to only one (1) request of this nature each year. The request for transfer to a specific position must be submitted by May 15 unless otherwise provided.~~

~~H. Written information and instructions about how to obtain a list of openings from the District web page or by calling the job line, will be posted in a conspicuous location at each school site.~~

F. The two (2) certificated staff members with the highest District seniority who apply for a voluntary transfer shall be given an opportunity to interview for that position within the time lines established for the interview. Hiring administrators are encouraged to interview additional transfer applicants.

1. It is the responsibility of all applicants to make current contact information available to Human Resources.
2. Transfer applicants unavailable during the time lines established for the interview will be notified in writing of the intent to interview them and of the efforts made to contact them.
3. Interviews for teachers currently under contract shall be scheduled outside of the employee's normal teaching hours or the teacher will be provided release time.

GJ. Each school may have interviewing committees. The composition of these committees will be determined by the principal or the principal's designee. The number of members and composition of the committee shall remain the same for voluntary transfers and outside applicants. To the extent possible, the membership of the committee should remain the same for each specific position.

HK. The interview process must be the same for voluntary transfers and outside applicants.

IL. After July 1 and prior to the first day of school, positions may be filled either on a short-term or regular contract basis, at the prerogative of the District. After the commencement of the academic year, all positions will be filled on a short-term contract basis, in accordance with District regulation.

JM. The school principal will make the recommendation to fill the position to the Superintendent or the Superintendent's designee.

KN. A teacher who has requested a voluntary transfer and has not been selected by July 1 may not reapply until the following school year. Between May 15 and ~~June~~May 30, a voluntary transfer can be approved, providing the relinquishing principal agrees to the transfer following a conversation between the relinquishing principal, accepting principal and the teacher.

LQ. A minimum of the staffing of a new school will be accomplished by teachers who request voluntary transfer.

MP. Recommendation/nonrecommendation and processing of the voluntary transfer request shall be made in writing by the site administrator to the staff member as soon as possible, but not later than ten (10) calendar days following completion of the site selection process.

Involuntary Transfers

An Involuntary transfer will be defined as movement from one (1) school site to another school site, and an involuntary transfer may be required based on the following factors:

- A. Increase or decrease of enrollment in various grades and classes.
- B. Opening of new buildings or closing of old ones.
- C. Changes in organization of the school system.
- D. Addition or elimination of an educational service.

After determining that one (1) or more of the factors listed above exists and that an involuntary transfer is necessary, the following procedure shall be followed:

A. The principal shall call a meeting within one (1) week during the school year or send written notice during the summer to all eligible certificated personnel in the department/school to seek a volunteer who will declare availability for transfer. If an eligible volunteer is found, the transfer will be made.

B. Teachers eligible for involuntary transfer:

1. To a primary class will be those currently teaching in grades kindergarten (K) through three (3).
2. To an intermediate class will be those currently teaching in grades four (4) through six (6).

3. To a subject or department at the middle school level will be those currently teaching in grades six (6) through eight (8) with appropriate certification.

4. To a subject or department at the high school level will be those currently teaching in grades nine (9) through twelve (12) with appropriate certification.

C. A teacher will be considered ineligible for an involuntary transfer if:

1. The teacher has been employed by the District for less than two (2) years prior to the effective date of the involuntary transfer.

2. The teacher is on a remediation plan or disciplinary probation.

3. The teacher was involuntary transferred within the past two (2) years.

4. The teacher is to be transferred from a position that will be filled by a new hire.

D. The teachers identified as available for involuntary transfer to a new assignment shall be identified as follows: A list shall be made up ranking the possible eligible teachers by District, schools, departments/primary/intermediate, based on seniority. Priority of the list shall be:

1. District

2. School

3. Departments/primary/intermediate.

E. Involuntary transfers will be determined beginning with the teachers with the least seniority (all teachers employed for a given academic year will be considered equal in seniority). If only one (1) teacher is eligible by this means of determination, the teacher or teachers at the next level of seniority will be considered eligible.

F. In any elementary school, the principal of the school will have the right to designate two (2) individuals who will not be considered for involuntary transfer. In any high school or middle school department, the principal of the school will have the right to designate one (1) individual who will not be considered for involuntary transfer.

G. When the list of eligible teachers is completed, a commission shall be formed consisting of one (1) administrator appointed by the Superintendent or the Superintendent's designee and one (1) teacher selected by the

teachers' association. These two (2) individuals will in turn select a third commission member mutually acceptable to them within five (5) working days. Within ten (10) working days after the commission members are determined, they shall meet and render a final determination and shall, during this period, receive information from the teachers, principal, department chairperson (if applicable), and others as they deem appropriate and determine by majority vote if the recommendation shall be carried out.

H. Written notice of involuntary transfer shall be given to the person or persons affected within two (2) weeks of the principal's notification by the director of human resources.

I. The person being transferred shall have the opportunity to meet and discuss the reasons for transfer with the Superintendent or the Superintendent's designee before final action is taken.

J. Whenever a transfer occurs during the school year, the teacher shall be allowed at least two (2) working days relieved of regular duties to complete the transfer.

Decisions of the Superintendent or the Superintendent's designee on transfers and the necessity thereof are final; however, if a violation of transfer policy is realized, this occurrence may then be subject to the District grievance procedure.

Transfers Directed by the Superintendent

The Superintendent or the Superintendent's designee will consider requests for transfers directed by the Superintendent, compatible with the qualifications criteria less the length-of-service factor, on the assumption that often a different environment will promote professional growth and increase efficiency.

A recommendation may be made by a school principal to the Superintendent for a (directed) transfer to promote professional growth and increase the efficiency of a teacher. A teacher who has previously been unsuccessful in obtaining a voluntary transfer and is not on any form of evaluative or disciplinary probation may request that the teacher's principal recommend a transfer directed by the Superintendent on the teacher's behalf if the factors listed in Policy GCK are present. If the principal declines to support a request in lieu of having the teacher reapply for a voluntary transfer, the teacher may appeal that decision to the appropriate associate superintendent for school operations. The decision of the associate superintendent is final. A transfer directed by the Superintendent may be given as follows:

A. Within a ten (10) working day period following the Superintendent's receipt of the request, the Superintendent will gather information from the teacher, principal, department chairpersons (if applicable), the employee's personnel file, and other pertinent sources of information and consider available placement options for the directed transfer. Provided placement

options exist, such transfers shall be effected in accordance with District policy.

B. If the recommendation is affirmed, a transfer directed by the Superintendent may be made as recommended. If the recommendation is denied, the information relative to the recommended transfer shall be purged from the employee's personnel file.

The teacher will be notified of the Superintendent's decision within ten (10) calendar days.

Intra-District Exchange Teaching

A pilot program was established for the purpose of offering intra-District exchange teaching to all continuing teachers in grades kindergarten (K) through twelve (12). Applicable stipulations and procedures are as follows:

A. The exchange of teaching positions shall be for a full school year, one (1) semester, or part of a semester, with one (1) year being the maximum allowed.

B. At the end of the time period agreed upon, teachers will return to their former teaching positions.

C. Each teacher wishing to exchange positions must write proposals stating their rationale for such exchange and give the proposals to affected principals at the appropriate time.

D. Teachers shall ensure that they have appropriate certification and accreditation for the position(s) selected for exchange.

E. If a teacher has identified an exchange partner, this information should be included in the exchange proposal.

F. After the teachers have agreed to an exchange of positions, said teachers shall contact the principals involved for interviews.

G. Principals will approve or disapprove, at their discretion, any exchange after verifying appropriate certification and accreditation of each teacher involved.

H. Upon approval of a teacher for participation in an intra-District exchange, principals will immediately notify the director of human resources of any such change(s) so that appropriate staffing and payroll functions may occur.

I. Denials of exchange-teaching requests must also be reported by the principal to the director of human resources.

J. Approval/denial and processing of the exchange-teaching request shall be made in writing to the staff members as soon as possible by the director of human resources.

K. Any teacher whose request for intra-District exchange teaching is denied will, upon request, be granted a conference with the school principal and/or the director of human resources.

L. A teacher who has not identified someone with whom to exchange, will need to submit requested exchange possibilities and a written proposal to the human resources office.

M. All exchange requests/proposals must be received in the human resources office no later than February 1. This date will be strictly adhered to.

N. A list of teachers seeking to exchange their positions will be prepared by the office of human resources and posted in each school and the human resources office.

O. Teachers shall then seek exchange with other teacher(s) on the list.

P. All intra-District exchanges will be finalized by April 15.

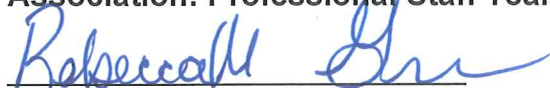
EXHIBIT C

**JOINT RECOMMENDATION OF THE
MEET AND CONFER TEAM FOR
PERSONNEL POLICY MATTERS**

We, the undersigned members of the Certificated/Professional and Support Staff Policy Meet and Confer Teams, have met and conferred and now jointly recommend the attached revisions to Policy GCCH (Professional/Support Staff Bereavement Leave) and recommend the implementation of the attached proposed Regulation GCCH-R.

DATED this 14th day of November, 2022

**For the Amphitheater Education
Association: Professional Staff Team**



Rebecca Green



Patricia Hebert



Robert Young

**For the Amphitheater School
District: Professional Staff Team**



Matt Munger



Michelle Tong

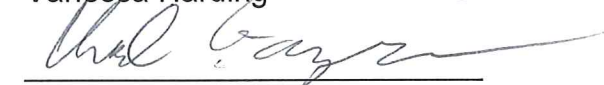


Chris Trimble

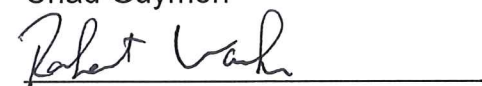
**For the Amphitheater Education
Association: Support Staff Team**



Vanessa Harding



Chad Guymon

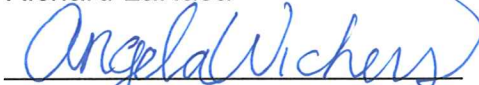


Robert Wacker

**For the Amphitheater School
District: Support Staff Team**



Richard LaNasa



Angela Wichers

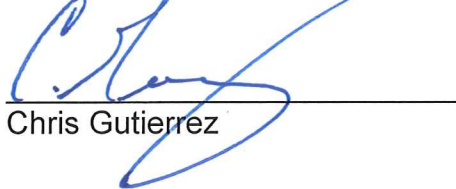


JJ Letts

Certification of Accuracy by Facilitators for the Joint Meet and Confer Teams



Tassi Call



Chris Gutierrez

**GCCH
PROFESSIONAL / SUPPORT STAFF
BEREAVEMENT LEAVE**

In case of death in an employee's immediate family, and with approval by the supervisor, the employee may be absent for a period not to exceed five (5) working days without loss of salary.

Additional Leave Days

An employee may be absent for an additional period not to exceed five (5) working days at no loss of salary provided that such days shall be deducted from the employee's sick leave.

If an employee does not have sufficient accrued sick leave to cover the additional period, leave will be authorized without pay.

Immediate Family: Definition

Members of the immediate family are defined as the employee's spouse or domestic partner, mother, father, child, grandparents, grandchildren, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, guardian, or dependent person ("[dependent](#)" as defined by the Internal Revenue Code).

Demise of Co-workers

In the event of the death of any staff member, or a member of that person's immediate family, other staff members, on request, will be excused from duties without loss of pay or deduction from accrued leave time, [or approved bereavement leave](#) to attend the funeral services, provided that said services are held within the confines of Pima County.

Adopted: August 13, 2019

LEGAL REF.:

A.R.S.

[15-502](#)

GCCH-R

REGULATION

PROFESSIONAL / SUPPORT STAFF BEREAVEMENT LEAVE

The District understands the significant impact that a death can have on an individual or family. Bereavement leave is provided to support the employee during this time of grief and bereavement.

Employees qualify for up to five (5) days, consecutive or non-consecutive, of paid bereavement leave per fiscal year following the death of an immediate family member (defined in Policy GCCH) to grieve, make funeral arrangements, attend the funeral and burial, pay respects to the family at a wake or visitation, and probate the estate or execute the will. An employee who wishes to take bereavement leave should notify their supervisor as soon as possible.

Questions about whether an individual employee's relationship with the deceased qualifies as immediate family should be discussed with the employee's supervisor who is responsible to obtain approval from the Associate to the Superintendent and General Counsel.

The site will need to submit a personnel action request and the supervisor approve it for bereavement leave to be paid for the employee's absence from work. Employees are not required to provide documentation to support their request for bereavement leave unless requested by their supervisor. Fraudulent use of bereavement leave may result in discipline.

Bereavement leave is calculated based on the base pay rate at the time of absence. It will not include addendum pay, stipends, bonuses, overtime or shift differentials. Bereavement leave is prorated for a part-time employee.