

Human Resource Department
Report
For Period Ending: September 28, 2018

On September 24, 2018, we received from OPI approval of the three (3) emergency hiring authorizations for the Special Education Department: Dawn Marxer, Pamela Mad Plume and Donald Comes At Night. All three (3) are SPED teachers located at KW/Vina, Napi and Browning Middle School, respectively. This spring, Dawn Marxer and Pamela Mad Plum will seek regular OPI licensure as both graduate from the 2 + 2 program, U of M-Western/BCC. During this reporting period, three (3) individuals in the 2+2 program will be applying for emergency hire authorization: Angie Pepion, Brittney Burns, Milyn Lazy Boy. All of them are doing their student teaching this semester and will have completed the program in December, 2018 making them eligible to apply for emergency hire authorization October 22, 2018.

The Human Resource Department had hoped to have teachers hired by this late date in the school year but remains busy recruiting to fill the remaining teacher vacancies the school year. A backlog with DOJ has resulted in delays with background checks. Background checks have been taking the full five (5) weeks and sometimes longer for a return. With later than usual resignations in teacher vacancies and other unforeseen circumstances that impacted the recruitment process and thus, hiring, we are slowly filling most of the positions. Our largest vacancy gap was at KW/Vina and as a team, have had to come up with unique teaching strategies that includes working with retired teachers as well as mentors so as to allow for student teachers to complete their requirements.

The recent hire of Big Sky Colony Teacher, Willie Sharp is a huge accomplishment. Principal, Natasha Siliezar is anxious for Willie Sharp to begin teaching on October 10, 2018. Natasha will have a few days to spend with Mr. Sharp so as to allow Mr. Sharp to get caught up on the new standards and methods available at the elementary level. In addition to her administrative duties, Natasha had been filling that teacher role, too. Natasha will return to .75% duties including assisting HR with Title IX activities, investigations/complaints and attendance.

On a weekly basis we receive recertification lists from the County Superintendent, Darryl Omsberg, indicating teachers who must renew their licenses. Our list is usually lengthy from the beginning of the school year until November each year. Currently, we have 24 teachers remaining on our list for renewals. Their November 15, 2018 deadline is quickly approaching as teachers have 60 days from the beginning of their contracts to bring them to HR or to the County Superintendent's office. Additionally, a provisional licensure report is being developed and will be distributed to each building administrator by the end of October 2018. Due to late hires, the report reflects provisional licensure's up through September 28, 2018.

The OPI's Terms of Employment Reporting (TOES) requirement is another huge task HR is working on. This year, Cheryl Tail Feathers will be doing the primary reporting preparation for both TEAMS and TOES. The reports are due to OPI the first week of November. It was decided last year that we work to be ahead of the deadline in advance by completing as much as we could several weeks before the due date to account for new employees both certified and classified. Jeri

Matt, Curriculum and Instruction Director, completes the TEAMS reporting requirements. In order for her to meet the requirements of TEAMS, TOES must be completed first.

The number of complaints being investigated include one (1) Title IX complaint September 7, 2018, immediately placing the teacher on administrative leave pending an investigation regarding Title IX allegations. An attorney to investigate the complaint was notified and brought in from MSBA on September 10, 2018. The HR Director, participated in part of the investigation with the attorney, Mr. Andrew Vigiland. Interviews were set up the week of September 10-14, 2018. The investigative report was concluded October 2, 2018 and reviewed by the Superintendent and HR Director. The investigative summary report recommendations by the investigator are being implemented. One uniform complaint was filed by a teacher against the Superintendent involving potential FERPA violations. That complaint was delivered via email to the Board Chair as required within the allocated ten (10) day time period. It is not been resolved. In another a separate and unrelated matter, a teacher on has been placed on administrative leave depending the outcome of an investigation for an alleged threat made against a supervisor. Administrative leave with pay has been put in place involving this incident October 2, 2018.

The department has received three (3) applications for Family Medical Leave Act, (FMLA) that are classified employees since the beginning of the school year. On September 20, 2018, the HR Director attended a 2 ½ hour webinar on the new authorizations to the FMLA policy. It was very informative bringing about new information for special rules for school districts and their regulations. It should be noted especially the difficult task monitoring intermittent leave.

Crystal Tail Feathers is assisting this year with 504-Employee Compliance as Coordinator. Crystal is a quick study and has progressed in a very good way learning about compliance. The files and employee information will be maintained in the HR office, due to confidentiality and HIPPA regulations. So far, we have had two (2) new 504 compliance plans, both teachers. The HR department is responsible for the employees in need of accommodations and monitor the plans yearly with re-evaluations during the mid-year should the employee request it. In other HR matters, Crystal is a good addition to administration. Whenever HR is in need of assistance, she offers her services. During the first week of August, for example, when we needed a third person to assist encoding the new wages for the 189 day classified employees, Crystal offered to help and did. Prior to that, in the middle of July, Crystal helped encoding certified staff by maintaining the spreadsheets.

At the last board meeting of September 27, 2018, information about In-House Hiring Preferences were discussed. Following up with it, I am providing in this report information about the processes followed at HR involving classified employees and whether or not they are given a hiring preference when positions are advertised and if so, are they advertised in house before they are advertised externally. In-House hiring preference is a continued practice with the new collective bargaining adopted May 31, 2018 and as implemented. The language appears on page 7 of the collective bargaining agreement (CBA) and titled, Article IX – Job Announcements and states in part, “Bargaining unit positions which are vacant will be simultaneously advertised internally and externally as soon as the employer determines to fill a position... In considering current employees who apply for an advertised position, the employer will consider the following

criteria: skills, training, seniority and the needs of the employer. If skills, ability, training and experience are relatively equal, seniority will be the determining factor. ... school employees are encouraged to apply. All qualified employees who, as determined by management, comply with the application process shall receive an interview provided they have had within the past year, both a satisfactory or better evaluation and an unblemished disciplinary record. This “automatic” interview provision, however, does not limit the employer from selecting other candidates, both in-house and outside for an interview.” With the new language in the collective bargaining unit, we advertise simultaneously the classified and certified positions as directed. However, the District by practice advertises immediately the job vacancy via district wide email. More often, however is the continued practice HR has always maintained. Job announcements are sent out district wide email as soon as the vacancy is announced. The weekly publishing and advertisements in our local newspapers, for example, is each Wednesday. In District, should a supervisor want to advertise that day, HR accommodates that building administrator or director. In order to reach all employees in the district, we ask that the Secretaries post the job announcements. Basically, our in-house do see the advertisement

In other Human Resource activities, attorney’s Joe McKay and Evan Thomas were invited to administration for training on personnel policies and confidentiality. It has been determined by this office that the district does not have any documented personnel policies and procedures manual to effectively administer or manage personnel issues. Procedural rules for either incorporating such policies need to be developed so as to effectively maintain the district’s HR Standard Operating Procedures. The SOP’s define a policy but does not address the procedure to effectively administer infractions or personnel violations for discipline purposes. The collective bargaining agreements address leave without pay consequences but other disciplinary matters for progressive discipline, for example, such as insubordination, professional conduct, bullying and other minor infractions, do not follow a procedure but rather “past practice.” Past practice files are difficult to maintain in such a large organization. Joe McKay and Evan Thompson, attorneys at law, provided training on both topics for a half a day at the end of August and the first week of September, respectively. The Human Resource SOP’s are being revised and updated. Other organizations within our community have been collected and are being reviewed to incorporate the progressive discipline procedures to develop a manual. It is work in progress.

/End of Report/

The certified/classified/transfer and vacancy report is attached.

