



Jefferson County
School District 509J

UNITE. ENGAGE. SOAR.

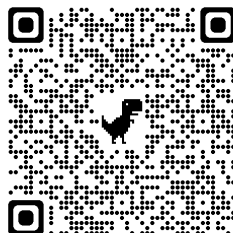
SUBSTITUTE HANDBOOK 2024-2025

CONTACT INFORMATION
JCSD Substitute Coordinator
Misti-Autumn Weaver
(541) 475-6192 Ext 2204

FRONTLINE SUBSTITUTE CALLING SYSTEM

1-800-942-3767

www.Frontlinek12.com/Aesop



INTRODUCTION

Welcome to the Jefferson County School District 509J (JCSD 509J)! As a substitute, you are employed to carry out the instructional program or duties during the temporary absence of a regular employee. You are an essential member of the district staff, and as each child differs, so will each substitute. Be ready and willing to adapt yourself to various assignments. Educating students is an all-encompassing task. While you are substituting, strive to keep students learning and growing intellectually.

For substitute teachers and educational assistants, it is expected you will follow, as closely as possible, lesson plans and classroom procedures prepared by the regular teacher or classroom assistant. If, for some reason, complete plans have not been left for you, please see the department chair, team leader, or principal for direction. Under exceptional circumstances, you may need to deviate from the plans left for you. If so, leave a complete explanation for the teacher upon his/her return to explain the circumstances. Please check for teacher documents online for the job. Teachers can upload lesson plans using Absence Management (formerly AESOP).

JCSD schedules substitute teachers and classroom assistants for the following schools:

Madras Elementary K-5
Buff Elementary K-5
Metolius Elementary K-5
Warm Springs K-8 Academy
Big Muddy K-8 School
Jefferson County Middle School - Grades 6-8
Madras High School - Grades 9-12
Bridges High School/ROOTS – Grades 11-12
509J On-Line
High Desert ESD – EI / ECSE
Preschool Promise – Ages 3-4

SUBSTITUTE PROCEDURES

Application

In order to be placed on the licensed or classified substitute roll with Jefferson County School District 509J, please complete the following procedures:

- Complete a JCSD application form with your current address and phone number. Notify the JCSD Substitute Coordinator of any changes as they occur. Substitute teachers must have a valid TSPC license.
- Successfully complete a Fingerprint-Based Criminal History Verification through Fieldprint. The number required for making an appointment is available at the District Office. There will be an Oregon Department of Education fee of \$66 payable to JCSD as well as a \$12.50 fee for fingerprint collection payable to Fieldprint.
- Complete the HR forms provided prior to the time of on-boarding – including payroll information, state & federal W-4's, I-9 document and other forms as relevant to the substitute role within the district.
- Provide the JCSD Substitute Coordinator with proof of COVID-19 vaccination or have an acceptable religious or medical exception as required by Oregon Health Authority.
- Complete online Safe Schools training for Substitutes by assigned due date or 30-days from account activation. If all courses are not completed by the due date, the substitute will become inactive until all courses are completed and the substitute becomes eligible for active status again.
- A Substitute ID Badge will be issued during the on-boarding meeting at the District Office.

Assignments

Substitute assignments are secured through the Frontline Absence Management System. This system is an automated scheduling system which can be accessed by smartphone or a web-based Internet service. A link to the Absence Management login page can be found on the JCSD website under the "Staff" link. Absent employees call for a substitute and can request specific individuals. Substitute employees can accept or reject jobs. You will receive a confirmation number upon acceptance of an assignment. The procedure for using this system is explained in the Absence Management System "Getting Started for Employees" guide and the Absence Management quick start flyer included with this handbook.

Pay for substitutes

LICENSED:

A substitute teacher is one who holds an appropriate TSPC Oregon license and who, on a day-to-day basis, and without contract, does the full work of a regularly assigned teacher during the regular teacher's absence from duty.

Substitute teachers will be paid at the state rate of **\$211.92** per day for the first 10 consecutive days in the same position. After the 10th consecutive day in the same position ****Same classroom****, they will be paid **\$249.32** per day. Substitute teachers are paid for a full day when employed for more than one-half day (over 4-hours): if a substitute teacher is employed for less than a half-day (4-hours), they will be paid for a half a day at **\$105.96**. (ORS 342.610) *You are expected to remain on the job for the entire 4 or 8 hours. **If you have completed your assignment, please check with the office for additional tasks. Substitute teachers often help out in the library or assist children with reading or other assignments.***

If you arrive for an assignment and are no longer required, please immediately contact the JCSD Substitute Coordinator to determine if other work is available. If no assignment is available, the sub is offered a choice: they may leave immediately without pay or stay and work a minimum half-day (4 hours).

Please note: Licensed substitute teachers do not clock in or out for timesheets. Licensed substitutes are paid for either a half day assignment or a full day assignment as a flat rate.

CLASSIFIED:

Classified substitutes are paid by the hour at the following rates of pay:

Substitute Educational Assistant I	\$16.50/hour
Substitute Educational Assistant II	\$17.30/hour
Substitute Food Services/Cooks Helper	\$16.15/hour
Substitute Bus Driver	\$23.58/hour
Substitute Type 10/20 Driver	\$22.70/hour
Substitute Custodial Assistant	\$19.83/hour
Substitute Secretary II	\$20.62/hour
Substitute Dept Secretary	\$18.16/hour

NOTE: The rate of pay is determined by the position – e.g., if a licensed person is subbing in a classified position, they will be paid at the classified rate. A person not holding a license will be considered classified.

If a classified substitute arrives for an accepted assignment and they aren't needed, please immediately contact the JCSD Substitute Coordinator to determine if other work is available. If no assignment is

available, the sub is offered a choice: they may leave immediately without pay or stay and work for pay for up to 2 hours.

Please note: Classified substitutes must clock in and out, including lunch breaks, for every assignment.

School/Program Closure or Weather Delays and Work Days

Information regarding delayed start of school or school closure is given to all Central Oregon broadcast media. Generally, decisions on delays or school closures are made around 5:30 am. If a delay is announced for your assigned school, you are expected to report to work as close to the job start time as safely possible. If you are not able to travel to work, please notify the School Secretary at your assigned school immediately. Any school closure or delay will be posted on the District website. Notices also are sent via email, text and telephone utilizing the Parent Square system – all 509J email addresses are included.

Long-Term Substitute Job

A long-term substitute job is defined as a substituting assignment in the same job for the same employee for a period longer than 10 consecutive workdays up to a 120-calendar-day period for classified work and 60-work days for licensed work, excluding customary recess periods. Days must be consecutive without breaks in service due to substitute’s illness or personal reasons. A classified substitute must be Highly Qualified for any long-term substitute assignment if the position requires it for employees.

Timesheets and Pay Dates

Pay period is Monthly from the first day of the month to the last day of the calendar month with pay day on the 10th of the following month. Licensed and classified substitutes are to submit timecards electronically through Time & Attendance by 12:00 pm, the day after the pay period ends. It is the responsibility of the employee to notify the Payroll office by the 4th of the month for ANY banking changes.

**Jefferson County SD 509J
Pay Periods, Time Sheet due Dates and Pay Days for Substitutes**

2024-2025

Pay Date	Time Card Pay Periods	Due to Payroll by 12:00 noon on:
09/10/2024	Aug 1 – Aug 31	September 3
10/10/2024	Sep 1 – Sep 30	October 1
11/8/2024	Oct 1 – Oct 31	November 1
12/10/2024	Nov 1 – Nov 30	December 2
01/10/2025	Dec 1 – Dec 31	January 2
02/10/2025	Jan 1 – Jan 31	February 3
03/10/2025	Feb 1 – Feb 29	March 3
04/10/2025	Mar 1 – Mar 31	April 1

05/09/2025	Apr 1 – Apr 30	May 1
06/10/2025	May 1 – May 31	June 2
07/10/2025	June 1 – June 30	July 1

PAY CHECK DISTRIBUTION:

Substitutes Employees WITH DIRECT DEPOSIT will receive the paystub via the e-mail on file one business day prior to payday.

Substitute Employees without direct deposit – Paychecks will be available for pick up at the District Office on payday. Any uncollected paychecks will be mailed from the District Office 2-business days after pay day to the mailing address on file (please make sure your address is up to date!).

Direct Deposit

Pay day is on the 10th of each month. Employees are strongly encouraged to use direct deposit to a bank account or a pay card. Paper forms to change your direct deposit may be obtained from the Payroll Department or electronic forms are available via your Frontline Central account. If you have questions regarding your direct deposit, please contact the payroll department at (541) 475-6192, ext. 2211.

PERS/OPSRP – Public Employee Retirement System/Oregon Public Service Retirement Plan

PERS/OPSRP is Oregon’s retirement pension plan for public employees. Substitutes who previously worked in districts and are active PERS members as well as new substitutes who work over 600 hours during a calendar are required to participate in this program. Each employee contributes 6% of their wage to the plan. These funds are deposited in an Individual Account Program (IAP) that is very similar to a TSA or taxed sheltered account. When a vested member of PERS retires, they will be eligible for a monthly pension payment. Please see the following link <http://www.oregon.gov/pers/Pages/index.aspx> for more information.

Notification of Scheduled Term Recess Periods

The Jefferson County School District annual calendar includes several customary vacations or recess periods for employees. These breaks act as temporary interruptions in employment. The District expects you will continue to perform the same or similar services after the vacation or recess period as you did before. The school calendar is available on the District Website.

ID Badge

Licensed and classified substitutes are required to wear photo ID badges in all programs serving children. The School District will issue a photo ID badge. If you are no longer substituting, we ask that you turn your ID badge to the School District office. For security purposes, please report any lost or stolen ID badges to the District Office immediately. If you are no longer substituting, please turn your ID badge in at the District Office. There is a \$6 replacement fee for lost, stolen or damaged badges.

License Renewal

It is the responsibility of licensed substitutes to maintain a current and valid TSPC teaching license.

SUBSTITUTE RESPONSIBILITIES AND CONDUCT

General Code of Conduct

All substitute employees are expected to:

- Arrive to work on time ready to perform duties as outlined.
- Treat all staff, students, and public with courtesy.
- Limit personal calls/texting and socializing to break times only.
- Respect fellow employees.

- Report all accidents to the building principal or program supervisor within twenty-four hours.
- Adhere to the dress code.
- Understand and comply with the mandatory reporting of child abuse requirements under Oregon Revised Statutes 419B.010-015 (see below).
- Understand and comply with Oregon Administrative Rules 584-020-000 through 584-020-0045, Standards for Competent and Ethical Performance of Oregon Educators.

Personal Appearance/Dress Code

- Appropriate dress is required. Casual dress is acceptable but does not include athletic shorts, sweats, or open mid-riff tops. Exposing undergarments is not appropriate.
- Clothing must be neat, clean, and in good condition.
- Clothing with tobacco, alcohol, drugs or sexually connotative words and/or pictures is not allowed.
- Some adults and children are allergic to perfumes and colognes—please, be sensitive to this.

Copyright

The Board recognizes the unlawful copying of copyrighted materials contribute to higher costs for materials, lessens the incentives for development of qualified educational materials, fosters an attitude of disrespect for law which is in conflict with the educational goals of the District and puts the District at risk of litigation. All copyright laws are honored. If extra copies of a document, book, video or software are needed, please speak with the building principal or program supervisor.

Under statutory and common law, fair use provisions allow for limited copying or distribution of copyrighted, published works without the author's or publisher's permission. Specifically, teachers are allowed to reproduce parts of works for instructional purposes. Examples of permissible reproduction include a chapter from a book (as long as attribution is made), a picture from the Internet, an exercise or exam from the Internet or book, etc. As a teacher, there are two principal factors for compliance with copyright law: Always give attribution regarding the source of the material, and if you are reproducing an entire work or substantial part of an entire work, seek permission from the publisher.

Please see your immediate supervisor if you have any questions regarding copyright obligations and compliance.

Suspected Child Abuse/Neglect

Any substitute employee having reasonable cause to believe any child with whom they come in contact has suffered abuse, or any person with whom the employee comes in contact has abused a child, is required by policy and law to immediately make a report by phone or in person to the Department of Human Services (DHS) or law enforcement. When making a report, first contact the building administrator or counselor to discuss the situation, if practicable; however, remember that you must make an oral report to law enforcement or DHS. When making a report you must submit the District child abuse referral form to the JCSD HR Department and to the school or program office where the child attends. The form is available in each school office.

Senate Bill 379, entitled "Child Abuse Training for School Employees, Parents and Students," was passed in the 2007 legislative session. This legislation requires all school employees in Oregon to receive training each year on the prevention, identification and reporting of child abuse and neglect. Training is now available through "Safe Schools", an online training system. Substitutes will be notified by email with the "Safe Schools" web link as part of the required yearly training.

Reporting Requirements Regarding Sexual Conduct with Students Policy:

SUSPECTED CHILD ABUSE BY AN EMPLOYEE REPORTING ADMINISTRATIVE RULE JHFE-AR, HB 2062

Sexual conduct by district/school employees as defined by Oregon law will not be tolerated. All district employees are subject to this policy. Any district/school employee who has reasonable cause to believe that another district/school employee or volunteer has engaged in sexual conduct with a student must

immediately notify the district Human Resources Director. "Sexual conduct" as defined by Oregon law is any verbal or physical or other conduct by a school employee that is sexual in nature; directed toward a kindergarten through grade 12 student; unreasonably interferes with a student's educational performance; and creates an intimidating, hostile or offensive educational environment. When the district receives a report of suspected sexual conduct, the district may decide to place the employee on paid administrative leave or in a position that does not involve direct, unsupervised contact with students while conducting an investigation. An investigation is a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the complainant, witnesses and the district employee who is the subject of the report.

Confidentiality

Substitutes must respect the guidelines of confidentiality and follow policy rules regarding overt identification. Do not discuss confidential information with anyone except those who have a right and need to know the information. If in doubt, check with the building principal or program supervisor.

Working Alone with Students

Substitutes should avoid being alone with students in private situations whenever possible. This includes: In the classroom, bathrooms in particular or other areas where you may be providing instruction.

When possible, make sure there is another adult, a parent, or possibly a child who could act as a witness within the vicinity when you are working individually with a student. If there is a need to be alone for therapy or instruction, please leave doors ajar. Notify someone of your schedule and follow it.

Assessment of Work Performance

A school administrator or regular classroom teacher may assess the job performance of a substitute employee at any time during the school year. A school administrator may exclude a substitute from that school's list for substitutes at any time and for any reason. If a substitute receives an exclusion from a school, the substitute may be contacted by the Human Resources department and may be excluded from the JCSD Sub System.

Substitute Reports

The substitute should leave a brief synopsis or assessment of the day for the teacher, describing what was accomplished and documenting problems that may have occurred.

To Remain Active

To be considered an active substitute, the substitute (licensed or classified) must work each month during the school year, unless arranged prior to becoming a substitute for a special assignment.

If a substitute does not work the minimum number of assignments for 3 consecutive months, HR will reach out to the substitute for a commitment to work. If no response is received or the substitute does not work after 3 additional months or by the end of the school year, the substitute will be deactivated. To be reactivated, the substitute will have to reapply through the district website (the usual review and hiring practices may apply).

Please note: A substitute must work somewhere in the district – self-limiting your options to only 1 school, specific types of assignments, minimal contact options or turning off the call system does not excuse the substitute from the activity requirement.

Policy

SUBSTITUTE SICK TIME

Sick time may be used for the substitute's or a family member's mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health

condition or need for preventive care, or for reasons consistent with the Family Medical Leave Act (FMLA) or Oregon Family Leave Act (OFLA). Sick time may also be used in the event of a public health emergency.

Licensed substitutes: Paid sick time for licensed substitute teachers accrues at a rate of one (1) hour for every thirty (30) hours worked. Licensed substitutes are eligible to begin using sick time on the 91st calendar day of employment. Sick time carries over from one year to the next up to a balance of eighty (80) hours. Licensed substitutes are able to use sick time in increments of four (4) hours.

Classified substitutes: Paid sick time for classified substitutes accrues at a rate of one (1) hour for every thirty (30) hours worked. Classified substitutes are eligible to begin using sick time on the 91st calendar day of employment. Sick time carries over from one year to the next up to a balance of eighty (80) hours. Classified substitutes are able to use sick time in increments of one (1) hours.

Process for sick time usage: To use sick time, the substitute must have been assigned to a job on a day that sick time is to be used and must select "Sick Time" from the drop-down menu when canceling the job in Absence Management. Jobs should be canceled as soon as possible to allow another substitute to accept the job. Please note: It is not an acceptable practice to accept a job and then cancel soon after in order to put in for sick time.

Procedure for Utilizing Sick Time:

1. Cancel out of a current job in Absence Management.
2. Select "sub sick time" from the drop-down menu as the absence reason when canceling job.
3. Email JCSD Substitute Coordinator and the school secretary or department with the following information:
 - Date
 - Substitute's name
 - Job date
 - Absence Management confirmation number

SAFETY ISSUES

Employee Health and Safety

Safety is everyone's responsibility. As a substitute employee, you have the responsibility to assist in providing a safe environment for students and employees.

Think safety, work safely and follow these guidelines:

- Be familiar with and abide by common safety practices and rules.
- Learn and use methods that reduce hazards related to your job.
- Report defective/unsafe equipment to the building principal or program manager.
- Do not use defective/unsafe equipment.
- Use all required safeguards and safety equipment provided for you.
- Make suggestions, which will provide safer work conditions to the building principal or program manager.
- Report all accidents immediately. Seek first aid or medical assistance without delay.
- Know where emergency equipment is located and how to use it.
- Know all procedures and duties designed to reduce damage or injury in the case of fire.
- Participate in safety training programs.

Tobacco-Free Environment

All offices, classrooms and other physical facilities, grounds and property owned, leased or occupied by Jefferson County School District 509J are tobacco-free environments. The use of smoking, vape and/or chewing tobacco in any school facility by Board directors, staff members, students or guests is prohibited.

Accident/Incident Reporting

All Injuries (Staff, Students, Visitors)

All accidents that occur while you are employed as a substitute must be immediately reported to the building secretary and/or principal and an Incident Reporting form must be filled out for the school in which the accident occurred. If the accident involved the substitute, the form must also be sent to the Human Resource Department.

All Injuries Requiring Medical Treatment

JCSD 509J carries worker's compensation insurance for all employees through the SAIF Corporation. If you are injured on the job, and the injury required medical treatment or time loss, complete Workers Compensation Claim Form 801 (available in all school offices or at http://www.saif.com/_files/Forms/801pack.pdf). The claim form must be submitted within 24 hours of treatment. Please take note of the "Notice to Worker" instructions and "Failure to File" notice. Immediately notify the building principal or program supervisor and the JCSD Human Resources Department (541-475-6192). The responsibility for filing a claim lies with the employee who has been injured on the job or has a job-related injury.

Universal Infection Precautions

Remember: "IF IT IS WET, AND IT IS NOT YOURS, DON'T TOUCH IT!"

Body Fluids: All body fluids—including blood, wound drainage, urine, vomit, stool, tears, saliva, semen, vaginal secretions, mucus, respiratory secretions, nasal discharge and sputum—without distinction between individuals with a known disease and those without symptoms or diagnosis should be assumed to be infectious for human immunodeficiency virus (HIV), hepatitis virus (HBV), TB, and other blood-borne pathogens.

Hand Washing: The single most effective procedure to prevent the spread of communicable diseases.

Gloves: Wear gloves whenever you will be in contact with body fluids, mucus membranes, or non-intact skin. Gloves should be worn if you have an open sore or cut on your hands. Always wash your hands before and after putting on gloves and avoid touching your eyes or mouth. Gloves are provided at the school; non-latex gloves are available upon request.

To remove gloves: a) grasp the cuff of one glove; b) partially strip the glove off by turning it inside out; c) remove the other glove entirely by pulling it off inside out; d) with the free hand finish taking off the original glove without touching any surface that came in contact with fluids.

Toys, Equipment, Etc.: Anything that is used or placed in the mouth should be cleaned between uses and daily with germicidal solution.

Hazardous Materials

In addition to infectious agents, there are other types of hazards one may encounter every day. Chemicals agents may cause physical reactions, burns, irritation to the skin or mucous membranes or be poisonous. Physical agents such as noise, heat, welding arcs or microwaves may cause injury. Please check with your immediate supervisor regarding safety procedures if you are required to deal with such chemical or physical agents as a substitute.

Security

The best security practice *in all* cases is to be aware of your environment and the people around you. Report any suspicious behavior of strangers to the building principal or program supervisor immediately.

Weapons

School employees, including substitute employees and volunteers, are not allowed to possess a dangerous or deadly weapon or firearm on District property or at school sponsored events. Such weapons are not permitted even if the individual has a concealed handgun permit.

PROBLEMS AND COMPLAINTS

General Problems and Questions

All substitute employees are subject to Jefferson County School District policies and procedures. Whenever a problem arises or you are in doubt regarding a particular policy or issue, talk with the building principal or program supervisor.

Official Staff Complaints

Building principals, program supervisors, the Human Resources Director and the Superintendent have responsibility for investigations concerning staff complaints when employees contend they have been subject to a violation, misinterpretation or inappropriate application of District personnel policies and/or administrative regulations.

Sexual Harassment

Sexual harassment of any substitute employee by students and other staff is prohibited and shall not be tolerated in the District. Any sexual harassment of students or other staff by a substitute employee is prohibited and shall not be tolerated in the District.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. The person's submission to the conduct or communication is made a term or condition of employment;
2. The person's submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment and/or assignment;
3. The conduct or communication has the purpose or effect of substantially interfering with the person's ability to perform the job or meet performance expectations;
4. The conduct or communication has the effect of creating an intimidating, hostile or offensive working or school environment;
5. The conduct has the purpose or effect of demanding sexual favors in exchange for benefits.

Sexual harassment as set forth above may include, but is not limited to, the following:

1. Verbal or written harassment or abuse;
2. Pressure for sexual activity;
3. Repeated remarks to a person with sexual or demeaning implications;
4. Unwelcome touching;
5. Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's evaluations, assignments, etc.

Drug-Free Workplace

All staff members are hereby directed to refrain from the unlawful manufacture, possession, dispensation, use or distribution of controlled substances and alcohol on school premises or as part of any of its professional activities.

Violation of this policy shall be considered grounds for termination. Compliance with all sections of this policy is mandatory.

As a condition of employment, an employee shall abide by terms of the District's drug-free workplace policy and shall notify the employer of any criminal drug convictions for violations occurring in the workplace no later than five days after such conviction.

The District shall notify the federal granting agency and the Oregon Teacher Standards and Practices Commission (TSPC) within 10 days after receiving notice of an investigation concerning an employee's alleged criminal drug violation or an employee's conviction of any criminal drug statute violation occurring in the workplace.

The District shall make a good faith effort to maintain a drug-free workplace through implementation of this policy.

Ethics

It is the responsibility of substitute teachers and all other substitute personnel to abide by the Oregon Standards of Competent and Ethical Performance.

Responsibilities of TSPC in maintaining standards:

In 1973, the Teacher Standards and Practices Commission became an autonomous body. It was created amid demands across the nation that educators police their own ranks. As a result, one of the statutory responsibilities of TSPC is to maintain professional Standards of Competent and Ethical Performance of Oregon Educators. These standards can be found in Oregon Administrative Rules, Chapter 584, Div. 020. Approximately 2000 discipline cases are investigated by the Commission each year.

What is a Competent and Ethical Educator?

The competent educator demonstrates:

- Knowledge and use of curriculum and instruction to meet the needs of all students;
- Ability to provide a climate for students that is conducive to learning and respects the rights of all persons without discrimination;
- An understanding of students and ability to establish and maintain good rapport and assist the growth of students;
- Ability to work effectively with students, staff, parents and community.

The ethical educator demonstrates:

- A willingness to accept the requirements of membership in the education profession;
- A willingness to consider the needs of the students, the district and profession.

What is a Culturally Competent Educator?

The culturally competent educator demonstrates:

- Capacity to promote equity of student access and outcomes;
- Advocacy for social justice;
- Awareness of laws and policies affecting learners;
- Creates a respectful and collaborative environment;
- Ability to navigate conflicts around race, ethnicity, religion, class, and language in a safe and productive manner;
- Ability to work collaboratively with students, staff, and parents from diverse racial, ethnic, religion, class and language background;
- Demonstrates respectful and welcoming verbal and non-verbal interaction skills.

What is the Responsibility of the Superintendent?

The District's chief administrator must report to TSPC within 30 days when, after appropriate investigation, the chief administrator **reasonably** believes that an educator has violated standards by committing acts of gross neglect of duty or gross unfitness.

What is Gross Neglect of Duty?

Gross neglect of duty is any serious and material inattention to or breach of professional responsibilities.

What is Gross Unfitness?

Gross unfitness is any conduct which renders an educator unqualified to perform his or her professional responsibilities. Conduct constituting gross unfitness may include conduct occurring outside of school hours and off school premises when such conduct bears a demonstrable relationship to the educator's ability to fulfill professional responsibilities effectively.

What Happens When TSPC Receives a Complaint?

- TSPC conducts an investigation to determine whether or not the allegation(s) is factual.
- The educator is notified of the complaint and encouraged to respond to the allegation(s).
- The Commission considers the Preliminary Investigation report and determines whether or not there is sufficient cause or evidence to charge the educator with a violation of TSPC Standards.
- The Commission may dismiss the complaint for lack of sufficient cause; **or**
- Enter into a settlement agreement with the educator (Order of discipline); **or**
- TSPC may inform the educator of charges and of an opportunity for hearing.

What Happens When the Educator Requests a Hearing?

The Commission is represented by counsel from the Attorney General's office. The educator may be represented by an attorney. Hearings are conducted by an Administrative Law Judge. Based on evidence presented at the hearing, the Administrative Law Judge makes a recommendation to the Commission regarding whether the educator has engaged in unprofessional conduct. The Administrative Law Judge submits a Proposed Order to the full Commission. The Proposed Order is advisory to the Commission which is voted on in public session.

What Sanctions May the Commission Impose?

By law, the Commission must permanently revoke or deny a license to educators who are convicted of certain serious felonies listed in ORS 342.143. In other cases, the Commission may revoke, suspend, place on probation or issue a public reprimand, depending on all of the facts and circumstances of the case.

What are the Factors for Imposing Disciplinary Sanctions?

- If the misconduct or violation is an isolated occurrence, part of a continuing pattern, or one of a series of incidents.
- The likelihood of a recurrence of the misconduct or violation.
- The educator's past performance.
- The extent, severity, and imminence of any danger to students, other educators or the public.
- If the misconduct was open and notorious or had negative effects on the public image of the school.
- The educator's state of mind at the time of the misconduct and afterwards.
- The danger that students will imitate the educator's behavior or use it as a model.

- The age and level of maturity of the students served by the educator.
- Any extenuating circumstances or other factors bearing on the appropriate nature of a disciplinary sanction.

What Happens When an Order is Adopted by TSPC?

The educator, the educator's school district and the complainant are notified. The Commission maintains records of all disciplined educators. A public record of sanctioned educators is maintained on the TSPC website and is updated regularly. When an Order is adopted, it is reported to the National Association of State Directors of Teacher Education and Certification (NASDTEC) which maintains a national list of disciplined educators.

How can educators conduct their professional responsibilities ethically?

Think about your interaction with students.

- Do you maintain professional physical and emotional boundaries with students?
- Do you create a safe and productive learning environment for all students regardless of race, gender identity, or sexual orientation?
- Do you avoid flirtatious interactions with students?
- Do you avoid discussions of intimate details of your personal life with your students?
- Do you conduct transparent electronic communications with students which comply with your district's policies?
- Do you avoid talking to a student alone behind closed doors?
- Do you avoid transporting students in your personal vehicle?
- Do you inform your supervisor and refer to a counselor any student who may have a romantic attachment to you?
- Do you avoid giving gifts to students?

Think about your knowledge of school policies and procedures.

- Do you know the laws, district policies, school rules and your rights?
- Do you know about child abuse reporting law ORS 419B.010?
- Do you know the policies in your school regarding the proper handling of money and finances?
- Do you have clear behavioral management rules?
- Do you know laws and district policies regarding suspected educator sexual conduct? ORS 339.370(11)
- Do you know about confidentiality requirements?
- Do you know the district's Acceptable Use Policy regarding technology, including computers, e-mail and internet access?

Think about your reputation in the community.

- Do you maintain a professional reputation in the community and school district?
- Do you communicate with parents and document that communication?
- Do you engage in behavior in the community that students may use as a positive model?

"If I could take back those five minutes..."

Actual TSPC Cases:

Use of school computer equipment to receive, store produce or send sexually explicit materials

Educator used classroom computer to access sexually explicit materials on the Internet. Educator downloaded sexually explicit materials, copied materials on school equipment and distributed to other staff.

Sanction: Revocation

Any sexual conduct with a student

Educator engaged in sexual behavior with a high school student. Educator pled guilty to the crime of Sexual Abuse in the Second Degree and was convicted.

Sanction: Revocation

Appearing on duty or at any district-sponsored activity while under the influence of alcohol

Educator serving as a substitute teacher suspected as under the influence because he smelled of alcohol. He submitted to two blood alcohol tests which showed positive results for alcohol.

Sanction: Public Reprimand & Probation

Failure to report and/or investigate suspected child abuse

Administrator failed to protect students from known sexual harassment and sexual conduct by coaches. He failed to investigate allegations of sexual abuse of female students and failed to report suspected child abuse to proper authorities as required by ORS 491B.010.

Sanction: Revocation