

Policy ~~3251~~ 562 – ~~Teacher Work Load / Schedules~~ Daily Work Schedule

Revised policy and repeal of Policy 3255 (Duty Free Lunch), Policy 3270 (Daily Planning Period), Policy 4251 (Service Personnel Work Schedule), and Policy 4255 (Duty Free Lunch) effective July 1, 2019

1st reading May 23, 2019

2nd reading

3rd reading

Statutory authority (none)

Administrative Guidelines

(none)

All classroom teachers employees will be assigned appropriate starting and dismissal times by the principal or chief administrator of the school their supervisors, provided that their total regular workday will be no longer than eight (8) hours, including the one-half hour duty free lunch period, homeroom, class changes, planning periods and staff development. Teachers shall have the right to leave the building during their lunch period provided they notify the office when leaving and upon returning. A teacher may exchange his/her lunch recess for any compensation or benefit mutually agreed upon by the employee and the Superintendent of Schools or his/her agent. The teacher and the Superintendent or his/her agent may not agree to terms which are different from those available to any other teacher granted rights within the individual school or to terms which in any way discriminate among such teachers within the individual school. The agreement shall be in writing.

Each classroom teacher shall be provided at least one (1) period of unassigned duties during the student's day for preparation. The period shall coincide in length with the regular class period.

~~Principals~~ Supervisors shall keep a record of arrival and departure times.

Personnel violating this policy shall be subject to disciplinary measures.

Duty Free Lunch

Every teacher staff member who is employed for a period of time ~~more than one-half (1/2) of the class periods of the regular school day~~ more than three-and-one-half hours per day shall be provided a paid daily lunch recess of not less than thirty (30) consecutive minutes. Teachers shall not be assigned any responsibilities during this recess. The This duty-free recess is included in the number of hours worked and the Board may not increase the number of hours to be worked by a teacher as a result of such employee being granted a recess.

An teacher employee may exchange his/her lunch recess for any compensation or benefit mutually agreed upon by the employee and the Superintendent of Schools or his/her agent. The teacher employee and the Superintendent or his/her agent may not agree to terms which are different from those available to any other teacher employee granted rights within the individual school or work station or to terms which in any way discriminate among such teachers employees within the individual school. The agreement shall be in written form, dated and signed by the employee/teacher and the Superintendent.

Daily Planning Period

Every teacher who is regularly employed for a period of time more than one-half (1/2) the class periods of the regular school day shall be provided at least one (1) paid planning period within each school instructional day to be used to complete necessary preparations for the instruction of students. ~~A teacher shall not be assigned any responsibilities during this period, and the County shall not increase the number of hours to be worked by a teacher as a result of such teacher being granted a planning period.~~

The duration of the planning period shall be in accordance with the following:

- A. For grades where the majority of the student instruction is delivered by only one teacher, the planning period shall be no less than forty minutes; and
- B. For grades where students take separate courses during at least four separate periods of instruction, most usually delivered by different teachers for each subject, the planning period shall be the length of the usual class period taught by the teacher, but no less than forty minutes.

Substitute teachers may be utilized to assist with classroom responsibilities in cases where the regular teacher is unavailable for teaching purposes as a result of this policy; however any substitute teacher who is employed to teach a minimum of two (2) consecutive days in the same position shall be granted a planning period.

A teacher may exchange his/her planning period for any compensation or benefit mutually agreed upon by the employee and the Superintendent of Schools or his/her agent. A teacher and the Superintendent or his/her agent may not agree to terms which are different from those available to any other teacher within the individual school or to terms which in any way discriminate among those teachers within the individual school. This shall be a written agreement, dated and signed by the employee/teacher and the Superintendent or his/her agent.

~~Service Personnel Work Schedule~~

~~All service personnel will be assigned appropriate starting and dismissal times by the principal or chief administrator of the school or other work location. Principals or the chief administrators shall keep a record of arrival and departure times.~~

~~A service person may not be required to report for work more than five (5) days per week without his/her agreement and no part of any working day may be accumulated by the Board for future work assignments without his/her agreement.~~

~~If a service person whose regular work week is scheduled from Monday through Friday agrees to perform any work assignments on a Saturday or Sunday, the service person shall be paid for at least one half day (1/2) of work for each day s/he reports for work. If the service person works more than three and one half (3 1/2) hours on any Saturday or Sunday, s/he shall be paid for at least a full day of work for each day.~~

~~A custodian, aide, maintenance, office and school lunch service person required to work a daily work schedule that is interrupted shall be paid additional compensation. A maintenance person is defined as a person who holds a classification title other than in a custodial, aide, school lunch, office or transportation category. A service person's schedule is considered to be interrupted if s/he does not work a continuous period in one day. Aides are not regarded as working an interrupted schedule when engaged exclusively in the duties of transporting students. The additional compensation is equal to at least one eighth (1/8) of a service person's total salary as provided by the State minimum pay scale and any County pay supplement; and is payable entirely from County Board funds.~~

~~When any part of a school service employee's daily shift of work is performed between the hours of 6 p.m. and 5 a.m. the following day, the employee shall be paid no less than an additional ten dollars per month and one half (1/2) of the pay shall be paid with local funds.~~

Any service employee required to work on any legal school holiday shall be paid at a rate one and one half (1 1/2) times the employee's usual hourly rate.

Any full-time service personnel required to work in excess of their normal working day during any week which contains a school holiday for which they are paid shall be paid for the additional hours or fraction of the additional hours at a rate of one and one half (1 1/2) times their usual hourly rate and paid entirely from county board funds.

No service employee may have his/her daily work schedule changed during the school year without the employee's written consent and the employee's required daily work hours may not be changed to prevent the payment of time and one half (1/2) wages or the employment of another employee.

Every service personnel whose employment is for a period of more than three and one half (3 1/2) hours per day and whose pay is at least the amount indicated in the State minimum pay scale shall be provided a daily lunch recess of not less than thirty (30) consecutive minutes, and such employee shall not be assigned any responsibilities during this recess. Such recess shall be included in the number of hours worked, and the Board shall not increase the number of hours to be worked by an employee as a result of such employee being granted a recess. Service personnel may exchange their lunch recess for any compensation or benefit mutually agreed upon by the employee and the County Superintendent of Schools or his/her agent. The service personnel and the Superintendent or his/her agent may not agree to terms which are different from those available to any other service personnel within the same classification category within the individual school or to terms which in any way discriminate among such service personnel within the same classification category within the individual school. The agreement shall be in writing.

Duty Free Lunch

Every service personnel who is employed for a period of more than three and one half hours (3 1/2) per day and whose pay is at least the amount indicated in the "State minimum pay scale", as set forth in West Virginia Code 18A-4-8a, shall be provided a daily lunch recess of not less than thirty (30) consecutive minutes with pay. Service personnel employees shall not be assigned any responsibilities during this recess. The duty free recess is included in the number of hours worked and the Board may not increase the number of hours to be worked by a service personnel employee as a result of such employee being granted a recess.

A service personnel employee may exchange his/her lunch recess for any compensation or benefit mutually agreed upon by the employee and the Superintendent of schools or his/her agent. The service personnel employee and the Superintendent or his/her agent may not agree to terms which are different from those available to any other service personnel within the same classification category within the individual school or to terms which in any way discriminate among such service personnel within the same classification category within the individual school. This agreement shall be in writing, dated and signed by the service personnel employee and the Superintendent or his/her agent.