



NYE COUNTY SCHOOL DISTRICT
Board of Trustees
Policy Committee Agenda

A Policy Committee of the Board of Trustees of Nye County School District will be held on Thursday, March 29, 2007, beginning at 5:00 PM at the Southern District Office Boardroom, 484 S West Street, Pahrump, NV 89048.

The subjects to be discussed, considered, or acted upon are listed below. Items do not have to be taken in the order presented below and the Board may combine two or more agenda items for consideration at any time. The Board may also remove any items on the agenda or delay discussion relating to any item listed on the agenda at any time. Unless removed from the Consent Agenda, items identified within the Consent Agenda will be acted on at one time.

1. CALL TO ORDER
2. ELECTION OF CHAIR, ACTION ITEM
3. PUBLIC COMMENT, INFORMATIONAL ITEM
4. APPROVAL OF MINUTES OF PAST MEETING, ACTION ITEM
5. DISCUSSION/POSSIBLE DECISION REGARDING CHANGES TO EXISTING POLICIES, ACTION ITEM
 - A. 6147a - Drug-Free Workplace, Testing
 - B. 0410 - Responsibilities of the Board of Trustees
 - C. 4101 - Superintendent's Authority
 - D. 6260 - Staff Recruitment, Selection & Hiring
 - E. 6231 - Annual Leave
 - F. 6232 - Personal Leave
6. DISCUSSION/POSSIBLE DECISION REGARDING NEW PROPOSED POLICIES, ACTION ITEM
 - A. 1770 - Relations with Indian Tribal Councils
 - B. 6239 - Exchange Time
 - C. 6240 - Holidays for Non-Union Employees
7. ASSIGNMENT OF FUTURE POLICY RESEARCH, ACTION ITEM
8. ADJOURNMENT, ACTION ITEM

This Meeting will be streamed live online via the link <https://livestream.nyeschools.org/ViewStream.html> on the Nye County School District website. Click on the following link if you have difficulties with the live streaming: <https://bit.ly/ncsdbotmeetings>.

Public input may be accepted live via email for the duration of the Meeting and shared during the public input designated timeframe (all rules and timelines as listed in the Agenda still apply). Public comments made by members of the public attending the meeting virtually must be emailed to publiccomment@nyeschools.org and must include:

- a. The author's first and last name
- b. The author's phone number (will not be read with comment)
- c. Date of the Meeting for which the comment is intended

Nye County School District (NCSD) will empower students to learn at their highest level in an environment of mutual respect.

The NCSD BOT Goals are as follows:

Culture

Improve and sustain a culture of learning for all through:

- ◆ Recruiting, selecting, inducting, supporting, evaluating, and developing staff.
- ◆ Fostering a safe and respectful learning and working environment.
- ◆ Promoting ongoing family and community engagement in pursuit of our vision.

Academic

Elevate achievement and support lifelong learning for all through:

- ◆ Creating and sustaining a results-focused learning environment; establishing measurable goals for all.
- ◆ Creating and sustaining an instructional framework and common language to ensure essential content standards drive instruction.

The notice for this posting was posted on the NCSD Website (<https://www.nye.k12.nv.us>), Nevada's Notice Website (<https://notice.nv.gov/>), at the main physical location of the meeting, and has also been provided to all persons who have made a specific request of a copy of the Agenda by US Mail or electronic mail. A Public Binder will be available for viewing at the scheduled location at the time of the Meeting.

NYE COUNTY SCHOOL DISTRICT NOTICE OF NONDISCRIMINATION

Nye County School District (NCSD) does not discriminate on the basis of race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, gender identity or expression, or any other category protected by applicable state or federal law in its program and activity, including employment. In keeping with requirements of federal and state law, NCSD strives to remove any vestige of discrimination in accommodating the public at public meetings.

The Nye County School District is pleased to provide reasonable accommodations for the disabled. Members of the public who are physically handicapped and require special accommodations or assistance to attend the meeting are requested to notify the Executive Assistant to the Superintendent and Board of Trustees in writing at 484 S West Street, Pahrump, NV 89048, email Iliana Garcia at igarcia@nyeschools.org, or call 775-727-7743, ext. 239 at least one week before the meeting.

Policy Committee Minutes – 11/1/06

Present: Deborah Wescoatt, Chair; Nicole Genet; Dawn Murphy; Tracie Ward; Dr. William Roberts; Rod Pekarek; Dale Norton; Ray Ritchie; Pat Garlin; Jewell Burton-Avery; Lisa Mays; and Kerry Paniagua.

The meeting was called to order at 9:13 a.m. in the Pahrump boardroom with a videoconference link to the Tonopah boardroom and telephone connections to Mrs. Wescoatt and Mrs. Genet. Tracie Ward moved approval of the 9/20/06 minutes. Dawn Murphy seconded, and a unanimous vote was recorded. There was no public input.

Policy 0211 – Safe & Respectful Learning Environment – Mr. Norton said this policy was developed as a result of legislative action, and policies 6110 and 7020 are tied in. Mrs. Wescoatt asked why board members were even listed. Mr. Norton said that element comes straight out of NRS. Mrs. Wescoatt said to pass on for first reading November 3.

Policy 6439 – Donated Leave Program for Non-Union Employees – Mr. Ritchie explained that unions have sick leave banks, but the staff in the northern and southern offices wanted to do something different. Mr. Pekarek asked who controls it and makes the decisions. Mrs. Wescoatt said those things needed to be thought out before policies are brought forth. Mr. Ritchie replied that the Superintendent does, and it's lined out in the regulation which was passed out at the previous meeting. Mrs. Wescoatt passed it on for first reading November 3.

Policy 6574 – Corrective Discipline for Non-Union Classified Staff – Mr. Pekarek said he believed regulations were provided at the last meeting. This process follows the unions to some extent. Mrs. Wescoatt asked it to go for first reading November 3.

Various Technology Policies – Mrs. Wescoatt said she hasn't been successful at finding any technology policies so this item was tabled.

Policy 6147a – Drug Testing – Mrs. Wescoatt said the unions asked that immediate termination be removed. Mr. Pekarek said they wanted it to follow corrective discipline. The regulations are still being developed. Mrs. Wescoatt said if they are interested in changing the policy, she would get the exact wording. Dr. Roberts said he would support reviewing the wording at the next meeting.

Policy 7620 – Wellness – Mrs. Garlin said she wanted to exempt adults altogether because they are mature and can make their own informed decisions. Mrs. Murphy agreed because she wouldn't want someone else telling her what to do. Dr. Roberts thought it would be in the regulation. Mrs. Wescoatt asked what would prevent a teacher from bringing a soda or candy into the classroom for children to see. Mrs. Garlin said they could word it as "staff is exempt from this policy" or list the areas that are exempt. Dr. Roberts suggested the items should be consumed in the teachers' lounge. Mr. Pekarek said it could address areas where children are present. Mrs. Ward said the policy states that it applies to the entire school environment. The

committee decided to eliminate the word “entire” from the first sentence of the second paragraph and add the words “to students” after “all foods available...” in the last sentence of the second paragraph. Mrs. Wescoatt said it will go for first reading on November 3.

Tracie Ward moved to adjourn at 9:34 a.m. Dawn Murphy seconded, and a unanimous vote was cast.

6147(a) DRUG-FREE WORKPLACE, TESTING

The District recognizes the importance of providing/ensuring a drug-free workplace for the health and safety of its employees, students and visitors. In doing so, the District believes that a testing program is necessary to ensure the highest level of conformity to the drug-free workplace policy.

The District, through other policies and administrative regulations, will implement a drug and alcohol testing program for all employees of the District as follows:

- A. Bus Drivers and Commercial Vehicle Drivers, pursuant to Title 49 CFR, Part 382 and Part 40

- B. All **other** District employees:
 - 1. Pre-Employment/Pre-Placement
 - 2. Reasonable Suspicion
 - 3. Post Accident

Employment with Nye County School District is contingent upon, among other things, compliance with this policy. Failure to comply may subject an employee to **disciplinary action in accordance with the applicable Negotiated Labor Agreement and NRS 391** and will preclude an applicant from an offer of employment.

Reviewed: November 1, 2006
Adopted: October 6, 2006
Revised: December 1, 2006

NEPN/NSBA Classification: GBEC
Legal Reference: Federal Drug Free Workplace Act

Present Policy:

0410 SPECIFIC RESPONSIBILITIES OF THE BOARD OF TRUSTEES

1. It shall be the duty of the Board of Trustees to select a Superintendent of Schools, and to delegate the authority of administering the policies of the Board of Trustees.
2. The Board shall require its Superintendent to prepare data to make recommendations, which will enable the Board of Trustees to establish sound policies.
3. The Board of Trustees (on the basis of policies established) shall determine the general nature of the educational program, including such matters as the number and types of schools and departments to be maintained and the variety and character of the services to be provided.
4. The Board of Trustees shall adopt suitable policies for all District employees with reference to qualifications for employment in various types of positions, salary schedules, leaves of absence, and other personnel policies.
5. Each year, as required by law, the Board of Trustees shall adopt an annual budget, after due consideration of such administrative and financial reports as may be required.
6. The Board of Trustees shall determine all financial policies not specifically defined by State law and shall exercise general supervision over the finances of the District in keeping with regular budgetary procedures.
7. The Board of Trustees, with the advice of the Superintendent, shall purchase sites for school buildings, and shall approve construction of school buildings.
8. The Board of Trustees shall have the power to accept on behalf of and for the school district any gift or bequest of money or property for a purpose deemed by the Board of Trustees to be suitable, and to utilize such money or property for the purpose so designated.
9. The board of trustees shall prepare a plan for implementing newly enacted statutes which directly affect pupils, parents, teachers, administrators or other educational personnel no later than 60 days after receipt of such notice from the Superintendent of Public Instruction. This plan shall be provided to parents, teachers, administrators and other employees.
10. The board shall conduct its affairs in such a manner as to keep the public informed of its policies and affairs.

Reviewed: February 4, 2005

Adopted: June 28, 1995
Revised: April 7, 2004

NEPN/NSBA Classification: BBAA

Legal Reference: NRS 241.010, 241.020, 354.596, 354.598, 385.005, 386.350, 356.360,
386.390, 387.205, 387.303

Previous Policy:

0410 RESPONSIBILITIES OF THE BOARD OF TRUSTEES

The Board of Trustees shall be the policy-forming body of the Nye County School District, and with the assistance of the Superintendent and the administrative staff, shall establish general policies governing the operation of the schools. As a policy-forming body, the Board functions in an inspectorial or judicial capacity.

Present Policy:

4101 POWERS AND DUTIES OF THE SUPERINTENDENT

The Superintendent shall be directly responsible to the Board of Trustees for the exercise of the following duties:

1. Assemble, print and distribute the agenda for each Board meeting, attend all meetings and participate in all deliberations of the Board.
2. Supervise all employees of the Nye County School District directly or through his/her administrative staff.
3. Follow District regulations in the employment of all personnel.
4. Assign, transfer and promote all employees in conformance with District regulations and with the approval of the Board when such approval is appropriate.
5. Recommend policies to the Board and develop policies as directed by the Board.
6. Provide the Board with all accurate and timely data required by them to make informed decisions.
7. Plan for implementation and enforcement of the policies, rules, regulations and decisions of the board and be responsible for the dissemination of all policies, regulations and general orders adopted by the Board.
8. Be responsible for the general efficiency of the school system, including all phases of District operation.
9. Devise procedures that assure programs are responsive to current and future student need and compatible with the communities' expectations.
10. Maintain ongoing evaluations of all phases of District operations and report them to the board on a scheduled basis.
11. Encourage staff development based on established research and the shared creative experience of all personnel in order to maintain high levels of performance.
12. Take leadership in developing a basic policy for constructive relations between schools and the communities.
13. Manage school-related conflict in a positive manner.
14. Understand the collective bargaining process.
15. Plan for implementation of the school district's Long Range Plan, including its mission statement.

The Superintendent, subject to the approval of the Board of Trustees, may delegate any of the powers and duties which have been entrusted to him/her. S/he shall continue to be responsible to the Board for the success of the duties so delegated.

Reviewed: April 14, 2006
Adopted: July 24, 2002
Revised: July 10, 2006

NEPN/NSBA Classification:

Legal Reference:

Previous Policy:

4101 SUPERINTENDENT AUTHORITY

The Board of Trustees of the Nye County School District believes that strong policy development and centralized authority in the person of the Superintendent of Schools govern effective organizations. Therefore, the Board of Trustees grants the Superintendent of Schools authority for employment, assignment, transfer, demotion and termination of all employees subject to the due process procedures of the State of Nevada in relation to the budget subject to that fiscal year. The Superintendent shall keep the Board of Trustees informed of any personnel changes at the administrative level.

Reviewed: June 28, 2002

Adopted: July 24, 2002

Revised: June 3, 2005

Present Policy:

6260 STAFF RECRUITMENT, SELECTION AND HIRING

The basic purpose of personnel recruitment and selection shall be to fill existing vacancies with individuals who meet established qualifications and who appear likely to succeed in the position to which they are assigned. It shall be the duty of the Personnel Director, with the advice and encouragement of the Superintendent, to establish the necessary criteria and procedures for the recruitment, selection and hiring of employees.

The following criteria shall apply to the recruitment, selection and hiring process of all school district personnel:

1. Highly qualified and desirable applicants shall be actively sought.
2. Selection shall be based solely on merit. Eligibility for employment shall not be affected by an applicant's race, religion, gender, age, disability, national origin or color consistent with applicable federal, state and local laws and regulations.
3. Final authorization of all contracts between the Nye County School District and an employee must be made by the Board of Trustees.

Reviewed: April 14, 2006

Adopted: May 21, 1997

Revised: June 30, 2006

NEPN/NSBA Classification: GCE

Legal Reference: Federal Equal Employment Opportunity Act, NRS 391.031 to 391.051, 391.060, 391.070

Previous Policy:

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ANNUAL LEAVE

Annual leave is granted to qualifying employees who work 260 days per year, eight hours per day. Annual leave is earned at the rate of 6.66 hours per month for the first year of employment. Thereafter, employees earn at the rate of 10 hours per month. **Central office administrators accrue 13.33 hours per month. Employees must be in pay status two weeks before accruing annual leave. Employees in non-pay status do not earn leave. Annual leave will not be advanced to any individual or classification of employee.**

Employees are encouraged to use their annual leave for rest, relaxation and personal pursuits. It is in both the employee's and the District's best interests for the employee to take time off occasionally. Except in case of emergency, leave requests should be submitted to the employee's direct supervisor at least seven calendar days prior to the requested leave time if at all possible. Supervisors have the right to deny vacation requests not submitted in a timely fashion or when the vacation time falls at a time that would be inconvenient due to work demands or limited staffing.

In order to encourage the use of annual leave, the District will cap accrual at 320 hours (40 days). Employees who currently exceed this cap will be given until June 30, 2008 to bring their balance below the cap either through using their leave or selling their excess leave. Beginning June 30, 2008, employees must use annual leave above the cap or they will lose any hours accrued above 320 hours.

The Payroll Department will notify supervisors which employees have reached, or are close to reaching, this cap. Supervisors will promptly meet with each employee to create a "work off" plan, a copy of which will be submitted to the Superintendent's office.

Bargaining unit members will be governed by provisions in their negotiated contract.

Reviewed: April 12, 2005

Adopted: May 6, 2005

Revised:

NEPN/NSBA Classification: GCDA, GCDB, GDD

Legal Reference: NRS 391.180

PERSONAL LEAVE

At the beginning of each fiscal year, each nine or ten month employee will be credited with two (2) personal days of leave at full pay. Unused personal days will be allowed to accumulate up to a total of three (3) days (prorated for hourly employees).

At the beginning of each fiscal year, each twelve month employee will be credited with three (3) personal days of leave at full pay. Unused personal days will be allowed to accumulate up to a total of five (5) days.

Administrators who work 10 months will be granted 24 hours of personal leave, which may accumulate to a maximum 40 hours. Administrators who work 12 months will be granted 32 hours of personal leave which may accumulate to a maximum 52 hours. Personal leave is not to exceed 52 hours in any 12-month period.

Any hours not used at the end of the fiscal year beyond what is allowed to accumulate will be forfeited.

Bargaining unit members will be governed by provisions in their negotiated agreement.

Reviewed: April 12, 2005
Adopted: December 9, 2003
Revised: May 6, 2005

NEPN/NSBA Classification: GCCAB, GCCBB, GDCB
Legal Reference: NRS 391.180

1770

RELATIONS WITH INDIAN TRIBAL COUNCILS

All Indian children shall participate on an equal basis in school programs within their attendance area with all other children educated by the Nye County School District.

Procedures will be established to allow the tribes and parents of Indian children to have access to educational programs and proposed educational programs of the District.

Opportunities will be provided for the tribes and parents of Indian children to aid in the planning and development of District programs, especially those related to the education of Indian children and the administration of Title VIII funds.

Reviewed: NRS 389.150

Adopted:

Revised:

NEPN/NSBA Classification: KGB, IHB

Legal Reference:

TITLE: 1770 – Relations with Indian Tribal Councils

PURPOSE AND BACKGROUND: To provide a means by which Indian tribes and parents of Indian children may participate in the development and/or funding of educational programs

APPLICABILITY: American Indian students

MONITORING RESPONSIBILITY: Assistant Superintendent for Student Achievement

OUTLINE OF PROCEDURE:

Children living on Indian land shall participate in school programs on an equal basis with all other children attending school in NCSD. No teacher, principal or program director is to exclude or limit the participation of any student in any District activity on the basis of race.

As they become available, pertinent program plans, applications, evaluations and information on Indian student participation will be disseminated through appropriate media, including local newspapers, school newsletters, radio and television.

The District Parent Advisory Committee for Indian Education, a tribe or its designee, parent, or group of parents interested in the educational opportunity of any student or group of students in the NCSD may request time on a school board agenda to address concerns. The Advisory Committee, tribal representatives, parents or others may present views regarding applications for funding, make recommendations concerning the needs of their children, provide input into the planning and development of the educational program of the District or present views on the educational program and its operation.

An Indian Education Committee will be established in order to solicit the views of parents of Indian children regarding the programs and policies of the district, especially regarding Indian children, as follows:

- This committee shall meet at least once per year;
- A NCSD administrator will serve on this committee and act as liaison for Indian tribes, parents and students;
- This committee’s principal function shall be to review any recommendations and input from parents, tribal officials and others concerning District policies and procedures; and
- The committee will provide the Board of Trustees with an annual review of actions taken in regard to the policies and procedures of the District that concern Indian children.

References: NRS 389.150

Revisions:

Effective Date:

NEPN/NSBA

Classification: KJG, IHB

6239

EXCHANGE TIME

Overtime-exempt personnel are generally expected to work eight to ten-hour days and, by nature of their positions, are considered to be available for work assignments within their salary at times other than their regularly scheduled hours. However, there are circumstances under which it is in the District's interest to utilize such personnel for extra assignments with additional remuneration.

Exchange time is considered discretionary time off with pay in recognition of extraordinary or excessive time worked over an extended period or for work on a scheduled day off when required by the employer. Exchange time is only available to overtime-exempt employees and carries no entitlement.

Reviewed:

Adopted:

Revised:

NEPN/NSBA Classification:

Legal Reference: Fair Labor Standards Act

TITLE: 6239 – Exchange Time

PURPOSE AND BACKGROUND: To provide guidelines for determining circumstances under which overtime-exempt employees are eligible for earning exchange time for extra non-continuous assignments

APPLICABILITY: Employees who are exempt from overtime and compensatory time

MONITORING RESPONSIBILITY: Superintendent

OUTLINE OF PROCEDURE:

Exchange time is considered paid time off and will be permitted for overtime-exempt personnel who occasionally work over ten hours per day or on days off. Exchange time is not considered compensatory time, which may be available only to overtime-eligible employees. The NCSD has no legal obligation to pay overtime wages or provide additional time off to overtime-exempt employees. However, the employee's supervisor may authorize additional time off for such employees under the following conditions:

1. To be eligible for additional time off, an employee must receive prior approval from his/her supervisor. To grant approval, the supervisor must determine if the work assignment meets all of the following criteria:
 - a. The assignment consists of a specified task and is customary with the person's professional responsibilities;
 - b. The assignment requires the employee to work additional hours for sustained periods of time; and
 - c. The assignment is part of an extraordinary or seasonal workload, rather than occasional extra work necessary to perform one's routine duties.
2. Before granting permission to work additional hours, or grant additional time off, supervisors must first evaluate the employee's productivity during normal work hours. A person who does not use normal work time efficiently will not be granted permission to work extra hours or be rewarded with additional time off.

Exchange time will not be accrued hour for hour but shall be determined pursuant to the discretion of the employee's supervisor, in accordance with the criteria set forth in paragraph 1 above. Exchange time should be used as soon as practical and will be used prior to using annual or sick leave. In any event, exchange time is capped at 96 hours and must be used within 180 days of its accrual. Any time not used by the end of the fiscal year in which it is accrued shall be forfeited.

Any exchange time not used prior to separation from service will be forfeited. Return to duty from separation will not result in reinstatement of previously accrued and forfeited exchange time. If a supervisory employee transfers to another supervisory position within NCSD,

his/her exchange time will remain on the books although he/she is encouraged to use exchange time prior to transfer. Employees will not receive any pay or other financial remuneration for unused exchange time.

Exchange time awarded to an exempt employee will be reported on the employee's bi-monthly time sheet and approved by the Superintendent. Exchange time used by an exempt employee will be reported on a blue leave slip (approved by the Superintendent) as well as the semi-monthly absence sheet.

References: Fair Labor Standards Act

Revisions:

Effective Date:

NEPN/NSBA

Classification:

6240

HOLIDAYS FOR NON-UNION EMPLOYEES

District employees who are not members of a bargaining unit and who work 260 days will be granted holidays approved by the Superintendent. District employees who are not members of a bargaining unit and who work less than 260 days, eight hours per day, will not be paid for holidays.

Reviewed:

Adopted:

Revised:

NEPN/NSBA Classification:

Legal Reference: