



**Pacific Union Conference
EDUCATION CODE REVISIONS**

**Approved by the Union Board of Education
on December 3, 2024**

SECONDARY SCHOOL:

A14-140 Secondary School [Revised 4/2018; 5/2019; 12/2024]

A. Definition [Revised 5/2019; 12/2024]

The senior academy is a unit authorized to include grades 11 and/or 12 to an authorized regionally accredited junior academy.

B. Authorization Procedure [Revised 4/2018; 12/2024]

1. Ongoing consultation of any existing junior academy with the local conference office of education and the union office of education should take place prior to any formal discussions at the local school.
2. A formal action supporting the request for extension for the educational program to include grade 11 and/or grade 12 is to be voted by both the school constituency and the school board.
3. The proposal for grade 11 and/or grade 12 should be reviewed by the local conference during the curriculum review process (with a representative of the union office of education present).
4. If the curriculum review is approved by the local conference board of education, the union office of education must be notified by March 1 prior to the academic school year in which grade 11 and/or grade 12 is to be offered.
5. The union office of education will facilitate a substantive change visit to assess the viability of the added grades.

TEAKING:

A24-144 Safety of Students – Off-Campus Tours and Activities [Revised 10/2018; 12/2024]

D. Operation of Vehicles – Recreation

Vehicles used for recreation are to be operated according to applicable state and federal regulations. Appropriate safety equipment is to be used at all times when engaging in recreational activities, i.e. skiing, bicycling, skateboarding, snowmobiling.

LOTE:

C14-116 Algebra I and/or Languages Other Than English (LOTE) in Eighth Grade for Secondary Credit [Revised 4/2016; 4/2020; 12/2024]

An elementary school may offer Algebra I and/or LOTE for secondary credit when all the following conditions have been met.

- A. The student must exhibit satisfactory evidence of academic, emotional, and social readiness for admission into secondary courses.
- B. It is taught as a separate class by a certificated teacher with the appropriate endorsement;
- C. The course content is aligned with the NAD Standards;
- D. Class time requirement as specified in the Sections C20-104, C20-108 and C29-112 is met;
- E. The elementary school seeks prior authorization from the local conference office of education using the Annual Curriculum Audit and Accreditation Progress Report.

C21-108 Subject Areas [Revised 11/2013; 12/2024]

- G. Languages Other Than English (LOTE): Instruction designed to develop facility for understanding, speaking, reading, and writing the particular language. The study shall also be concerned with the social and cultural backgrounds of the people.

C25-104 Graduation Requirements, Minimum
[Revised 11/2013; 11/2014; 4/2020; 5/2020; 12/2021; 11/2022; 4/2024; 12/2024]

Subject Area	General Diploma	College Prep/Advanced Diploma	Clarification
A. Basic			
Bible/Religion	4 Carnegie Units	4 Carnegie Units	See Note 1
English	4 Carnegie Units	4 Carnegie Units	
Health Education	.5 Carnegie Unit	.5 Carnegie Unit	See Note 2
Languages Other Than English (LOTE)		2 Carnegie Units	See Note 3
Mathematics	2 Carnegie Units	3 Carnegie Units	See Note 4
Physical Education	3 Carnegie Units	3 Carnegie Units	See Note 5
Science	2 Carnegie Units (1 may be non-lab)	3 Carnegie Units	See Note 6
Social Studies	3 Carnegie Units	3 Carnegie Units	See Note 7
Subtotal	18.5 Carnegie Units	22.5 Carnegie Units	

Note 3 – Languages Other Than English (LOTE) [Revised 4/2020; 12/2024]

The study of LOTE is not required for the basic diploma. Two Carnegie Units of the same LOTE are required for the college prep/advanced diploma.

TK/K TEACHER LOAD:

C17-132 Teaching Assignment and Load [Revised 10/2018; 11/2023; 12/2024]

- B. Elementary School Teacher Load
 - 1. Maximum number of grades

Six grades are the recommended maximum load for the elementary school teacher. A multi-grade classroom may include more than six grades if approval is granted by the local conference office of education. The need for a teacher assistant shall be determined in consultation with the local conference office of education.

2. Maximum number of students per teacher (See B.2.d.)
[Revised 10/2018; 11/2023; 12/2024]

a. Single Grade Classroom

<u>Grade Level</u>	<u>Maximum Number of Students</u>
TK (under age 4.9)	10
TK (4.9 or older)	20
K	20
1	22
2	25
3	30
4	30
5	32
6	32
7	34
8	34

b. Combination (two-grade) Classroom (See B.2.e. Student Equivalent)

<u>Grade Levels</u>	<u>Maximum Number of Students</u>
TK/K	20
1-2	20
3-4	28
5-6	32
7-8	34

c. Multi-grade Classroom (See B.2.e. Student Equivalent)

<u>Grade Levels</u>	<u>Number of Grades</u>	<u>Maximum Number of Students</u>
Lower grades	Three or more grades	20
Upper grades	Three or more grades	20
Any combination of grades	Three or more grades	20
Any combination of grades	Six grades	18

d. Notes [Revised 11/2023]

- (1) Up to a maximum of five students may be added to a classroom (single grade, combination or multi-grade) if teacher assistant time of one hour per day for each additional student is provided. In classrooms with TK students younger than 4.9, the adult to student ratio of 1:10 must be maintained.

- (2) A classroom with TK students younger than 4.9 may only be combined with K.
 - (3) The number of students with special needs may warrant an adjustment in the class load.
 - (4) Any variation to the above policies requires the approval of the local conference office of education.
- e. Student Equivalent [Revised 10/2018; 12/2024]

When determining student load in a multi-grade classroom each transitional kindergarten, kindergarten or first grade student counts as 1 1/2 students.

Example: In a multigrade classroom 5 kindergarteners, 5 first graders, and 5 second graders would be counted as 20 students (5 x 1.5 = 7.5 kindergarteners, plus 5 x 1.5 = 7.5 first graders, plus 5 second graders for a total of 20 students).

HARASSMENT POLICY:

E10-140 Harassment Policy [Revised 11/2012; 11/2013; 11/2014; 12/2024]

E. Reporting Incidents [Revised 12/2024]

An employee who believes that harassment has occurred should immediately take the following steps:

1. If comfortable doing so, make it clear that such conduct is offensive and should be stopped immediately; and,
2. Report the incident to the immediate supervisor, principal, associate superintendent, superintendent of schools, or the conference human resources department. The initial report should be followed by a written statement describing the incident and identifying potential witnesses. There can be no expectation of investigation unless Incidents have been reported.

F. Third Party Reports [Revised 12/2024]

Employees who are aware of incidents of potential workplace harassment toward others are to report such incidents to the immediate supervisor, principal, associate superintendent, superintendent of schools, or the conference human resources department.

REASONS FOR TERMINATION: HEALTH AND SAFETY OF STUDENTS AND STAFF

A25-138 Suspension or Revocation of a Certificate. [New Policy 5/2013; Revised 11/2014; 10/2018; 5/2019; 11/2022; 11/2023; 12/2024]

D. Suspension or Revocation of a Certificate [Revised 10/2018; 5/2019; 11/2022; 11/2023; 12/2024]

1. The certificate may be suspended or revoked for any of the following:

- k. Acting in a manner that seriously jeopardizes the health and safety of students or staff failing to act in a manner that ensures the health and safety of students.

E10-188 Suspension or Revocation of a Certificate
[Revised 11/2012; 5/2013; 11/2015; 10/2018; 5/2019; 11/2022; 11/2023; 12/2024]

D. Suspension or Revocation of a Certificate
[Revised 11/2015; 10/2018; 5/2019; 11/2022; 12/2024]

1. The certificate may be suspended or revoked for any of the following:

- k. Acting in a manner that seriously jeopardizes the health and safety of students or staff failing to act in a manner that ensure the health and safety of students.

E11-140 Termination of Employee on Regular Status Employment
[Revised 11/2010; 11/2012; 5/2013; 11/2015; 4/2016; 12/2017; 4/2018; 12/2024]

B. Reasons for Termination [Revised 11/2015; 12/2017; 12/2024]

1. The reasons affecting an employee's fitness to teach or administer and retention of a teaching certificate include but are not limited to the following:

- g. Acting in a manner that seriously jeopardizes the health and safety of students or staff failing to act in a manner that ensures the health and safety of students.

E12-140 Termination of Employee on Non-Regular Status, Provisional Employment
[Revised 11/2012; 5/2013; 11/2015; 4/2016; 12/2017; 4/2018; 12/2024]

B. Reasons for Termination [Revised 11/2015; 12/2017; 12/2024]

1. The reasons affecting an employee's fitness to teach or administer and retention of a teaching certificate include but are not limited to the following:

- g. Acting in a manner that seriously jeopardizes the health and safety of students or staff failing to act in a manner that ensures the health and safety of students.

E16-140 Termination of a Term Status Employee
[Revised 11/2012; 5/2013; 11/2015; 4/2016; 12/2017; 12/2024]

B. Reasons for Termination [Revised 11/2015; 12/2017; 12/2024]

The reasons affecting a term status employee's fitness to administer and/or teach and retention of a teaching certificate include but are not limited to:

8. Acting in a manner that seriously jeopardizes the health and safety of students or staff failing to act in a manner that ensures the health and safety of students.

E19-140 Termination of a Salaried Classified Employee
[Revised 11/2015; 4/2016; 12/2017; 10/2018; 12/2024]

B. Reasons for Termination [Revised 11/2015; 12/2017; 12/2024]

The reasons for termination may include, but are not limited, to the following:

10. Acting in a manner that seriously jeopardizes the health and safety of students or staff failing to act in a manner that ensures the health and safety of students.

SECTION E: ADDITIONAL UPDATES

E10-112 Certificated Personnel – Defined [Revised 12/2024]

Certificated personnel are those employees who have responsibility for classroom instruction, student services or administrative duties that involve supervision of instruction. Such personnel are to hold a valid denominational certificate with endorsements for the position held.

E10-122 Local School Employees [New Policy 5/2013; Revised 4/2015; 12/2024]

Conferences may have locally funded school personnel on payroll with costs funded by the local school. These employees are eligible to earn denominational service credit and to participate in all benefits for which they are eligible.

E10-146 Dealing with Offenders in Financial Matters [New Policy 11/2013; New Number 12/2024]

When a volunteer, employee or agent of a Seventh-day Adventist organization performs an act in violation of the laws of the country and of the financial trust or responsibility reposed in him/her, discipline shall be administered and the employing organization will report all violations to appropriate law enforcement officials. [See *NAD Working Policy S 04 48.*] Available insurance coverage may be jeopardized by failing to report such matters to law enforcement.

E10-124 Conditions of Employment [Revised 5/2019; 12/2024]

A. Certification

1. The NAD office of education establishes requirements for certification of elementary and secondary education personnel.
2. The authority to issue certificates to qualified personnel is delegated to the union office of education.
3. Personnel with responsibility for classroom instruction or administrative duties are to hold a valid denominational certificate with endorsement(s) for the position held. The requirements for certification are detailed in the current edition of the *PK-12 Educators' Certification Manual for North American Division and the Pacific Union Conference addendum.* [See also Section A25-136.]

B. Church Membership

Employees shall be members of the Seventh-day Adventist Church in regular standing and as such shall provide a positive Christian role model and demonstrate a concern for the spiritual and moral development of students so that the unique philosophy of Seventh-day Adventist education is reflected throughout the curriculum and the total school program.

C. Tithe Paying

Faithful tithing is a condition for initial and continued employment, and transfer to another school, conference or other denominational organization. [See *NAD Working Policy E 80 20.*]

D. Conflicting Activities

An employee shall not engage in any business or activity, either denominational or extra-denominational which has the effect of diminishing the employee's influence and/or infringing on the time and efficiency of the work to which the employee is assigned.

E. Employment Eligibility Verification, Form I-9

A certificated employee who is given a conditional offer of employment must complete an I-9 Form, "Employment Eligibility Verification", U. S. Department of Justice, Immigration and Naturalization Service, within 72 hours. The form shall be maintained at the payroll center.

F. Criminal Record Summary [Revised 11/2013; 5/2019; 12/2024]

To the extent required by law, state and federal criminal record summaries must be obtained for employer review on or before the first day of employment for any employee who will have contact with minor students. This includes any person hired to work in a private school on a regular paid full-time or regular paid part-time basis who will have contact with minors.

To satisfy this requirement, employees must cooperate with the employing local conference by submitting fingerprints and applications to appropriate state and federal agencies so that the employing local conference can obtain such reports from the agency, or from the employee in jurisdictions where such reports cannot be obtained directly by the employer from the agency. Furthermore, employee must cooperate in updating such criminal record summaries at the discretion of the employing local conference.

G. Statement of Knowledge of Duty to Report Abuse

A certificated employee is to sign a statement on the form provided by the employer acknowledging the duty to report cases of child abuse and will comply with the provisions of state law. This requires that any employee who is a child care custodian who has knowledge of or observes a child known or reasonably suspected of having been the victim of child abuse is to report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report within the time required of receiving the information concerning the incident.

H. Fitness for Duty [Revised 11/2015; 4/2016; 11/2016; 4/2018]

1. After a conditional offer of employment, an employee shall provide the employer with a completed physical examination form signed by a physician of the employer's choice. The form shall verify that the employee is capable of performing the job functions.
 - a. If a disability is identified which interferes with performance of a job function, the employer shall determine if the job function is essential.
 - b. If the job function is essential, the employer shall determine if a reasonable accommodation can be made.
 - c. If an essential job function cannot be performed and accommodation is not reasonably possible, the offer of employment may be revoked.
 - d. The examination referred to in I. above shall be conducted, and the written proof shall be filed, every four years after initial employment or as requested by the employer.
2. A prospective employee shall provide written proof of a TB risk assessment or TB skin test signed by a health care provider, conducted within 60 days preceding the date of employment. The superintendent of schools/designee may require additional testing as required by the state law where employed.
3. Employee health records will be kept in accordance with Section A26-124.
4. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of the employee's job. If the use of a medication could compromise the safety of the employee, fellow employees, students or others, it is the employee's responsibility to use appropriate personal procedures (e.g., use sick leave, request change of duty, notify administrator) to avoid unsafe practices.

E10-144 Policy and Guidelines Relating to Sexual Misconduct Incidents Towards Students
[Revised 3/2012; 11/2014; 5/2019; 12/2024]

Certificated and administrative employees are bound by the following sexual misconduct policy and guidelines for education personnel in the union.

C. Prevention of Sexual Misconduct [Revised 5/2019; 12/2024]

Local conferences and/or schools shall attempt to prevent sexual misconduct by:

1. Careful screening of adults before employment begins as per policy.
2. Periodic training for all adults who have a contact with students regarding sexual misconduct and child abuse reporting requirements.
3. Periodic training for students which emphasizes identification of and protection from sexual misconduct and reporting procedures of suspected incidents to an adult.

D. Obligation to Report Instances of Suspected Sexual Misconduct or Child Abuse
[Revised 12/2024]

All instances of suspected sexual misconduct or child abuse must be reported to appropriate government authorities as specified by state law and the appropriate school administrator immediately or as soon as practicably possible.

E. Procedure for Reporting Suspected Instances of Sexual Misconduct or Child Abuse

The following reporting procedures should be followed:

1. An employee who has knowledge of or observes a child who is known or reasonably suspected of being the victim of sexual misconduct or child abuse shall report the known or suspected incident to a child protective agency as soon as practically possible by telephone. Child abuse includes sexual abuse, physical abuse and neglect. A written report should be sent within the specified time required by state law. The employee should consult with the administrator at the time of reporting.
2. If volunteers or other adults have reasonable suspicion of sexual misconduct or child abuse it should be promptly reported to child protective services and a school administrator.
3. The superintendent of schools or designee should be notified of the suspected incident as soon as practically possible if the suspected abuser is an employee or volunteer.
4. If the suspected incident involves an employee or volunteer that person may be placed on administrative leave from duty during the investigation by the child protection agency at the discretion of the superintendent of schools in consultation with the principal.
5. All suspected incidents of sexual misconduct or child abuse should be maintained in confidence apart from required notification to child protective services and school administrators. The information should only be shared with others on a need to know basis.

F. Investigation of Suspected Instances of Sexual Misconduct or Child Abuse [Revised 12/2024]

The superintendent of schools and the school administrator shall cooperate with civil authorities in any investigation of suspected sexual misconduct or child abuse. The superintendent of schools or school administrator may need to conduct an independent investigation of suspected sexual misconduct or child abuse for employment purposes. This investigation should be conducted in a thorough and confidential manner and should be documented. Employment action should be taken in compliance with the procedures set forth in the *Education Code*. Employees may be placed on administrative leave from duty with pay during the investigation.

E10-152 Continuing Education of Certificated Personnel [Revised 5/2019; 4/2020; 12/2024]

Certificated administrative and instructional personnel in the union may be authorized to attend a college or university with financial assistance based on the following provisions.

A. Attendance at La Sierra University and Pacific Union College

1. General Provisions [Revised 5/2019; 12/2024]

Full time certificated administrative and instructional personnel employed in the union may take up to a maximum of 12 quarter hours, during an

academic year, July 1-June 30 under the subsidized tuition program if authorized to attend La Sierra University or Pacific Union College.

- a. Personnel who wish to enroll in courses and/or programs under the subsidized tuition plan must submit the tuition authorization form obtained from the principal and/or local conference office of education and receive authorization from the local superintendent of schools in the local conference where the person is employed.
- b. Personnel must have a valid signed contract for the following school year as a prerequisite for authorization to enroll in courses and/or programs in a summer session.
- c. Authorized Early Childhood Education professionals may enroll in courses that meet credential requirements based on the following provisions.
 - (1) A local conference office of education is granted a specific number of units per year that can be allocated to full-time Early Childhood Education professionals for completion of credential requirements.
 - (2) The total hours granted to a local conference office of education is based on the allocation of one quarter hour per year for each Early Childhood Education professional. An Early Childhood Education professional may not be allocated more than 12 quarter hours during an academic year of the total hours available to the local conference office of education.

2. Special Provisions for Attendance at La Sierra University
[Revised 5/2019; 12/2024]

The following special provisions apply to attendance at La Sierra University under the subsidized tuition plan.

- a. Authorized personnel attending La Sierra University may enroll in courses which meet certification requirements and graduate programs offered by the School of Education.
- b. Admission to degree programs is achieved only by formal application. Those interested in a graduate degree should apply for admission into a degree program during the first summer of attendance.
- c. In special circumstances, after consultation with the union office of education, the superintendent of schools or designee, may authorize enrollment in courses and/or degree programs in the Divinity School, School of Business, and/or College of Arts and Sciences.
- d. The following courses and/or programs are not covered by the subsidized tuition plan at La Sierra University.
 - (1) Courses and/or programs to complete a baccalaureate degree. (Early Childhood Education professionals who

are completing the credential requirements based on A.2.c. are exempted from this provision.)

- (2) Courses taken to complete the requirements for the Ed.S. degree. This does not include the 9 quarter hours that are needed for renewal of the Professional Certificate or the courses needed for the Principal endorsement.
- (3) Courses leading to the Ed.D. and/or Ph.D. degree.

B. Attendance at Seventh-day Adventist Colleges Outside of the Union

As a general rule, education personnel are expected to attend either La Sierra University or Pacific Union College. However, exceptions may be authorized when:

1. The necessary courses or programs are not available at either La Sierra University or Pacific Union College.
2. A person newly employed in the union is currently enrolled in a degree program at a college/university in the union where formerly employed and a transfer would entail hardship or loss of credit.

C. Attendance at Non-Seventh-day Adventist Institutions

Education personnel who are authorized to attend non-Seventh-day Adventist institutions, if the necessary courses or programs are not available at La Sierra University or Pacific Union College, may receive reimbursement for mileage or the lowest air fare, whichever is less, plus tuition and fees. No additional salary is granted for attendance at summer school.

An employee who elects to enroll in courses or programs at non-Seventh-day Adventist institutions for reasons of convenience or choice may not receive assistance on tuition or fees.

D. Authorization for School Attendance

Education personnel who plan to attend La Sierra University or Pacific Union College with the exception of financial assistance on expenses must have written authorization prior to registering for courses or programs.

The authorization is as follows:

Attendance at La Sierra University or Pacific Union College

The school attendance authorization form is to be completed prior to registration at either La Sierra University or Pacific Union College. This form is available from the principal or the local conference office of education. The form is to be returned to the local conference office of education.

E. Financial Assistance at La Sierra University and Pacific Union College

1. Subsidized Tuition
Subsidized tuition for courses, including workshops and seminars are covered by the annual appropriation from the union.
2. Mileage

A mileage allowance may be granted for one round-trip by the most direct route to either La Sierra University or Pacific Union College based on the current mileage rate. This is to be paid by the employing organization [with the exception of Hawaii].

E10-156 Remuneration – Part-time Certificated Personnel [Revised 12/2024]

B. Allowances and Benefits

Part-time employees will be provided allowances and benefits as defined by the local conference.

E10-168 Vacations and Paid Holidays – Part-time Certificated Personnel [Revised 12/2024]

A. Twelve-month Assignment Plan

2. Paid Holidays

Paid holidays that occur on a regularly scheduled working day are granted in the amount the employee would earn if on duty.

E10-172 Reduction in Force (RIF) [Revised 4/2015; 12/2017; 12/2018; 12/2021; 12/2024]

H. Term status employees may be considered for reduction in force provided that the employee is fully compensated through the completion of the term.

E10-176 North American Division Retirement Plan [Revised 12/2024]

The following describes the retirement plans currently available for employees of participating employers.

C. Procedures and Policies

The employee shall submit the proper application form(s) to the local conference Office of Secretariat. For a complete listing of retirement policies see Retirement Plan of the NAD and Auxiliary Benefits.

E10-180 Service Credit for North American Division Defined Benefit Retirement Plan [Revised 12/2024]

Service credit for retirement under the defined benefit plan was earned as follows:

A. Twelve-month Employment Plan

One year of service credit is credited to an employee for each calendar year in which there was remuneration for at least 1,950 hours or for at least 11.5 months on a full-time salaried basis for participating employers.

After January 1, 1981, an employee who works less than full-time during a calendar year shall be eligible for proportionate credit based on the provisions of the *Retirement Plan of the NAD and Auxiliary Benefits*, Section Z 15 05 (4).

B. Ten-month Employment Plan

A full-time education employee who has the option to be off duty during the summer period shall be considered employed from July 1 to December 31 if serving for the full first semester of a school year, and shall be considered employed from January 1 to June 30 if serving the full second semester of a school year. A teacher who is employed at least half-time shall also be eligible for proportionate service credit during the periods listed above. [See *Retirement Plan of the NAD and Auxiliary Benefits*, Z 15 15 (1).]

C. Personnel Employed by a Local School

An education employee whose payroll costs are funded by a local school or church is eligible to earn denominational service credit if the conditions stated below are met. The only benefits that the conferences provide such employees are service credit and Worker's Compensation insurance. [See *NAD Working Policy Y 47 05 and Retirement Plan of the NAD and Auxiliary Benefits Z 15 35.*]

Service credit shall be granted to an employee of a church or elementary schools provided:

1. The employee is remunerated for at least 1,000 hours during a calendar year.
2. The local conference has the employee on its payroll and the remuneration is at least the federal minimum wage but does not exceed the denominational remuneration scale. Employees paid their remuneration directly by the church or school are not eligible to participate in either the frozen defined benefit plan or the defined contribution retirement.

E10-184 Service Records [Revised 12/2024]

The local conference Office of Secretariat or human resource services director is responsible for the service records of all education employees. Each employee shall be given a copy of the service record at any time at the employee's request by the last employing organization each time the employee transfers from one denominational organization to another, and at the time the employee discontinues denominational service.

E10-192 Termination Settlement [Revised 11/2008; 11/2011; 5/2013; 5/2014; 12/2024]

In order to provide transition funds for an involuntarily terminated full-time employee leaving denominational service, a termination settlement may be provided under the terms of this policy. The settlement is not an earned employee benefit automatically provided in every case of employment termination.

A. Eligible Recipient

A termination settlement may be granted to an involuntarily terminated employee who has worked in denominational employment for at least two years regardless of age. A resignation as a result of being counseled to resign by the employer is considered an involuntary termination for the purposes of this policy. Eligibility shall be determined according to the following criteria.

4. Term Status [New Policy 11/2011; Revised 12/2024]

A term status employee who is not offered a subsequent contract.

H. Variances

Properly constituted governing or administrative bodies of denominational employers may authorize a termination settlement at variance with the provisions of this policy in order to comply with state or local laws.

E11-128 Transfer of Employee on Regular Status Employment [Revised 12/2024]

A. Voluntary Transfer

1. Definition.

A change initiated by an employee who requests transfer to another position or school, or accepts a position within the same or to a different local conference or union.

E11-136 Administrative Leave of Employee on Regular Status Employment
[Revised 3/2012; 11/2012; 12/2018; 12/2024]

A. Definition [Revised 12/2018]

The immediate temporary removal from duties for a reasonable period of time.

B. Salary and Benefits During the Administrative Leave [Revised 11/2012]

Salary and benefits shall continue during the administrative leave. When an administrative leave continues beyond three months because of, but not, limited to, a criminal investigation and/or prosecution, salary may be discontinued at the discretion of the local conference board of education. Benefits shall continue during the administrative leave.

C. Procedure [Revised 12/2018]

1. The superintendent of schools/designee or principal shall give written notice, including the reason to the employee.
2. The superintendent of schools/designee or principal shall make reasonable effort to complete any investigation as soon as possible.
3. An administrative leave beyond three working days shall require the approval of the superintendent of schools/designee.

D. The administrative leave shall continue until;

1. The employee is reinstated to active status; or,
2. The employee resigns; or,
3. The employment is discontinued by termination.

E11-148 Retirement of Employee on Regular Status Employment [Revised 12/2024]

[See Section E10-176]

E12-112 Evaluation [Revised 12/2024]

Competency evidenced by professional evaluation is a condition of continued employment. The evaluation process shall be based on the policies adopted by the local conference board of education and shall consist of the following:

A. Required

A minimum of one written evaluation during the first semester of each year based on supervisory visits by the principal and/or the superintendent of schools/designee.

E12-116 Status Change [Revised 3/2012; 11/2012; 4/2016; 12/2024]

The employment status of an employee on Non-Regular Status, Provisional Employment may be changed when in the best interest of the employee, the students, and/or the school as follows:

- Term Status. [See Section E11-124.]
- Regular Status. [See Sections E11-108 and E11-112.]
- Transfer. [See Section E12-124.]
- Resignation. [See Section E12-128.]
- Administrative Leave. [See Section E12-132.]
- Completion of Contract. [See Section E12-136.]
- Termination. [See Section E12-140.]
- Retirement. [See Section E12-148.]

E12-120 Regular Status [Deleted 12/2024]

E12-148 Retirement of Employee on Non-Regular Status, Provisional Employment [Revised 12/2024]

[See Section E10-176]

E14-108 Definition of Non-Regular Status, Part-time Employment [Revised 4/2016; 12/2024]

Non-Regular Status, Part-time Employment is less than full-time employment for a portion of or a full school year as an "at-will" employee and is subject to discontinuance of employment with or without cause on two-week notice.

E14-136 Retirement of Employee on Non-Regular Status, Part-time Employment [Revised 12/2024]

[See Section E10-176]

E15-112 Remuneration [Revised 12/2024]

When a person on denominational retirement benefits and/or Social Security is employed on Non-Regular Status, Post-Retirement Employment, the employing organization should consult

the *NAD Working Policy* and the *Retirement Plan of the NAD and Auxiliary Benefits* for approved length of service and remuneration restrictions.

E16-116 Relationship of Regular Status Classification to Term Status Employment
[Revised 12/2021; 12/2024]

The following identifies the relationship of Regular Status classification to Term Status Employment.

An employee does not hold Regular Status for the administrative position but retains the status if:

- it was obtained prior to Term Status Employment; and,
- the employee secures employment as an instructional employee within the same local conference at the close of Term Status Employment.

NOTE: A term status employee who is not offered a subsequent contract may be eligible for a termination settlement [See Section E10-192.A.4.]

E16-128 Reassignment of a Term Status Employee [Revised 12/2017; 12/2024]

C. Salary

The salary (excluding the administrative budget) is unaffected for the remainder of the term if the administrator qualifies for or has achieved Regular Status.

E16-132 Resignation of a Term Status Employee [Revised 12/2024]

B. Procedure

1. The employee shall submit written notice of resignation to the superintendent of schools/designee or principal, whichever is the immediate supervisor.
2. The employee shall repay any money owed to the employer such as but not limited to the following: advanced salary, unamortized graduate study assistance, unamortized moving expenses, and any other expenses.

E16-136 Administrative Leave of a Term Status Employee
[Revised 3/2012; 11/2012; 12/2018; 12/2024]

A. Definition [Revised 12/2018]

The immediate temporary removal from duties for a reasonable period of time.

B. Salary During the Administrative Leave

Salary shall continue during the administrative leave. When an administrative leave continues beyond three months because of, but not, limited to a criminal investigation and/or prosecution, salary may be discontinued at the discretion of the local conference board of education.

C. Procedure [Revised 12/2018]

1. The superintendent of schools/designee in counsel with the immediate supervisor shall give written notice of the administrative leave to the administrator including the reasons.
2. The superintendent of schools/designee shall make reasonable efforts to complete any investigation as soon as possible.
3. An administrative leave beyond three working days shall require the written approval of the superintendent of schools/designee.

D. The administrative leave shall continue until; [Revised 12/2024]

1. the employee is reinstated to active status; or,
2. the employee resigns; or,
3. the employment is discontinued by termination; or,
4. the completion of the contract.

E16-148 Retirement of a Term Status Employee [Revised 12/2024]

[See Section E10-176]

E17-104 Hearing and Appeal Processes [Revised 11/2011; 11/2012; 12/2024]

A. Either the school board or the local conference office of education may make a recommendation on employment status change to the local conference board of education

1. If a recommendation for status change is being considered, an eligible employee must be given the option to attend a hearing.
2. The hearing with the personnel committee or school board must be held as soon as reasonably possible, but not less than five (5) working days from the time of notification.
3. The superintendent of schools/designee must be present and chair the hearing.
4. If the employee chooses not to attend the hearing the superintendent of schools/designee should be notified in writing.

B. General Provisions of the Hearing and Appeal Processes

The following general provisions apply to the hearing and appeal processes:

1. Notice to the Employee

Prior to a hearing or appeal the employee is to be given a written notice that will provide the following:

- a. The time and place of the hearing or appeal.
- b. The employment status change being considered (in the case of a hearing) or recommended (in the case of an appeal) and the factual basis for the status change.
- c. The employee's right of access to relevant records prior to the hearing or appeal.

- d. The employee's right to present relevant evidence at the hearing or appeal.
- e. The employee's right to have another person present, other than an attorney.
- f. Assurance that participation in the hearing or appeal process will not be used against the employee in any employment decision.

2. Employee's Access to Evidence

The employee shall have access to the relevant records and evidence prior to the hearing or appeal and the right to make copies of these records and evidence. The employee shall not have the right to records of other employees or the private files of the administrator.

3. Reprisals [Revised 12/2024]

If the employee has requested and/or participates in a hearing or appeal process, that cannot be used as a basis for any employment decision or action regarding the employee.

C. The Hearing

1. Purpose of the Hearing

The hearing is a process that assists the employing organization in making fair and equitable employment decisions. It is intended to provide opportunity for the employee to hear the concerns regarding performance and the proposed actions to be taken, and an opportunity to present a case.

2. A hearing may be conducted by:

- a. The local school board or personnel committee if voted by the board; or
- b. At the discretion of the local conference office of education by a sub-committee of the local conference board of education in lieu of the local school board or personnel committee.

3. The employee has a right to be present at a hearing to:

- a. Hear the concerns.
- b. Hear the facts supporting the concerns.
- c. Ask questions.
- d. Present a case.
- e. Present other relevant information.

4. The employee may have another person present, other than an attorney.

5. The body granting the hearing may set reasonable limits on the length of the employee's presentation and other procedures of the hearing.

D. The Appeal

1. Purpose of the Appeal

The purpose of the appeal is not to hear new evidence but to assist the local conference board of education in ensuring that the recommendation from the hearing was made as a result of a process that was fair and equitable and that the evidence provided a reasonable basis for the decisions.

2. An appeal request from an employee must be presented in writing.
3. The appeal is to be conducted by the local conference board of education.
4. The employee has a right to be present at the appeal to present information to support the claim that:
 - a. the process was not fair; and/or,
 - b. there was a lack of evidence to support a reasonable basis for the decision.
5. The employee may have another person present other than an attorney.
6. The local conference board of education may set reasonable limits on the length of the employee's presentation and other procedures of the appeal.

E. Disposition of the Appeal

The superintendent of schools shall communicate the decision of the local conference board of education to the employee.

F. Failure to Appear [Revised 12/2024]

An employee is expected to attend the requested hearing or appeal on the date scheduled in the notice to the employee described in Section E17-104 C. (1). If an employee states an inability to attend the hearing or appeal for medical reasons, the following procedures shall apply:

E18-112 Employment Agreement for Salaried Classified Employees [Revised 12/2024]

The school shall use the written agreement form adopted by the local conference office of education in hiring salaried classified employees.

Any changes made in the employment agreement and/or failure on the part of the prospective employee to return the contract by the specified time, will void the offer.

The employment agreement shall include but not necessarily be limited to the following:

- A. Names of the parties to the agreement.
- B. Initial assignment and/or duties to be performed.
- C. Beginning date of employment.
- D. Salary or wages to be paid to the employee.
- E. Hours to be worked and/or proportion of full-time.
- F. A statement that the employee willingly agrees to comply with the policies and standards of the local conference, the union, and the Seventh-day Adventist Church which are in effect and/or may be altered during employment.
- G. A summary of the allowances and benefits that are granted when the employee qualifies.

- H. Provision for signatures and dates for the signature and date signed for the agent of the local school board and the employee.
- I. The deadline the signed agreement is to be returned.

E18-116

Conditions of Employment

[Revised 11/2013; 11/2015; 4/2016; 11/2016; 4/2018; 5/2019; 12/2024]

A. Church Membership

Employees shall be members of the Seventh-day Adventist Church in regular standing and as such shall provide a positive Christian role model and demonstrate a concern for the spiritual and moral development of students so that the unique philosophy of Seventh-day Adventist education is reflected throughout the total school program.

B. Tithe Paying

Faithful tithing is a condition for initial and continued employment, and transfer to another school, local conference or other denominational organization. [See *NAD Working Policy E 80 20.*]

C. Conflicting Activities

An employee shall not engage in any business or activity, either denominational or extra-denominational which has the effect of diminishing the employee's influence and/or infringing on the time and efficiency of the work to which the employee is assigned.

D. Fitness for Duty [Revised 11/2015; 4/2016; 11/2016; 4/2018]

1. After a conditional offer of employment, an employee shall provide the employer with a completed physical examination form signed by a physician of the employer's choice. The form shall verify that the employee is capable of performing the job functions.
 - a. If a disability is identified which interferes with performance of a job function, the employer shall determine if the job function is essential.
 - b. If the job function is essential, the employer shall determine if a reasonable accommodation can be made.
 - c. If an essential job function cannot be performed and accommodation is not reasonably possible, the offer of employment may be revoked.
 - d. The examination referred to in I. above shall be conducted, and the written proof shall be filed, every four years after initial employment or as requested by the employer.
2. A prospective employee shall provide written proof of a TB risk assessment or TB skin test signed by a health care provider, conducted within 60 days preceding the date of employment. The superintendent of schools/designee may require additional testing as required by the state law where employed.
3. Employee health records will be kept in accordance with Section A26-124.
4. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to

ascertain whether the medication may interfere with safe performance of the employee's job. If the use of a medication could compromise the safety of the employee, fellow employees, students or others, it is the employee's responsibility to use appropriate personal procedures (e.g., use sick leave, request change of duty, notify administrator) to avoid unsafe practices.

E. Employment Eligibility Verification, Form I-9

A classified employee who is given a conditional offer of employment must complete an I-9 Form, "Employment Eligibility Verification", U. S. Department of Justice, Immigration and Naturalization Service within 72 hours. The form shall be maintained at the payroll center.

F. Criminal Record Summary [Revised 11/2013; 5/2019; 12/2024]

To the extent required by law, state and federal criminal record summaries must be obtained for employer review on or before the first day of employment for any employee who will have contact with minor students. This includes any person hired to work in a private school on a regular paid full-time or regular paid part-time basis who will have contact with minors.

To satisfy this requirement, employees must cooperate with the employing local conference by submitting fingerprints and applications to appropriate state and federal agencies so that the employing local conference can obtain such reports from the agency, or from the employee in jurisdictions where such reports cannot be obtained directly by the employer from the agency. Furthermore, employee must cooperate in updating such criminal record summaries at the discretion of the employing local conference.

G. Statement of Knowledge of Duty to Report Child Abuse

A classified employee is to sign a statement on the form provided by the employer acknowledging the duty to report cases of child abuse and will comply with the provisions of state law. This requires that any employee who is a child care custodian who has knowledge of or observes a child known or reasonably suspected of having been the victim of child abuse is to report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report within the time required of receiving the information concerning the incident.

E18-132 Service Records for Classified Personnel [Revised 12/2024]

The local conference Office of Secretariat or human resource services director is responsible for the service records of all education personnel. Each employee shall be given a copy of the service record at any time at the employee's request by the last employing organization each time the employee transfers from one denominational organization to another, and at the time the employee discontinues denominational service.

E18-136 Service Credit for North American Division Defined Benefit Retirement Plan [Revised 12/2024]

C. Personnel Employed by a Local School [Revised 12/2024]

An education employee whose payroll costs are funded by a local school or church is eligible to earn denominational service credit if the conditions stated below are met. The only benefits that the conferences provide such employees are service credit and Worker's Compensation insurance. [*NAD Working Policy Y 47 and Retirement Plan of the NAD and Auxiliary Benefits Z 15 35.*]

Service credit shall be granted to an employee of a church or elementary school provided the employee is remunerated for at least 1,000 hours during a calendar year.

E18-140 Termination Settlement [Revised 12/2024]

H. Variances [Revised 12/2024]

Properly constituted governing or administrative bodies of denominational employers may authorize a termination settlement at variance with the provisions of this policy in order to comply with state or local laws.

E19-128 Status Change [Revised 3/2012; 11/2012; 4/2016; 11/2023; 12/2024]

The following categories represent the changes in status for which a salaried classified employee is eligible:

- A. Completion of Contract. [See Section E19-130.]
- B. Resignation. [See Section E19-132.]
- C. Administrative Leave. [See Section E19-136.]
- D. Termination. [See Section E19-140.]
- E. Retirement. [See Section E18-128.]
- F. Post-retirement Employment. [See Section E19-148.]

E19-144 Retirement of a Salaried Classified Employee [Revised 12/2024]

[See Section E10-176]

E20-104 Hearing and Appeal Processes [Revised 12/2024]

B. General Provisions of the Hearing and Appeal Processes

The following general provisions apply to the hearing and appeal processes:

3. Reprisals

If the employee has requested and/or participates in a hearing or appeal process, that cannot be used as a basis for any employment decision or action regarding the employee.

E21-114 Local Employees [Deleted 12/2024]

E21-144 Retirement of a Non-Exempt Classified Employee [Revised 12/2024]

[See Section E10-176]