

Clackamas Education Service District

Code: **GAA**
Adopted: 4/16/97
Readopted: 05/20/09
Orig. Code(s): 2090; 2360; 2390

Personnel: Definitions and Status

Managerial Personnel

A “manager” is an employee of CESD who possesses authority to formulate and carry out administrative and/or program decisions, or who represents the District’s interest by taking or effectively recommending discretionary actions that control or implement CESD policy, and who has discretion in the performance of these administrative and/or program responsibilities beyond the routine discharge of duties. A manager serves in a supervisory capacity in relation to other employees and recommends personnel actions such as hire, transfer, lay off, recall, discipline, and discharge.

A “licensed manager” refers to an employee who is assigned to a managerial position that requires a license issued by the Teacher Standards and Practices Commission.

The superintendent will recommend licensed managers and nonlicensed director-level managers for employment and will inform the Board of other nonlicensed manager selections.

Management employees, being outside the collective bargaining groups, shall be provided salary, benefits, and other economic-related conditions of employment under the Board’s Meet, Confer, and Consult policy. Other areas of employment shall be handled administratively or through Board policy and administrative rule.

Management employees shall serve a three-year probationary period.

Confidential Personnel

A “confidential employee” is designated in accordance with Oregon law. Such employees will be excluded from any bargaining unit. Salaries and benefits for confidential employees will be established by the Board.

Confidential personnel, being outside the collective bargaining groups, shall be provided salary, benefits, and other economic-related conditions of employment under the Board’s Meet, Confer, and Consult policy. Other areas of employment shall be handled administratively or through Board policy and administrative rule.

Members of the Licensed Bargaining Unit

A “teacher” is an employee who holds a teacher’s license or is registered to teach by TSPC.

A “specialist” is an employee who has a teaching license or a letter or authorization from the Oregon Department of Education.

A “contract licensed employee” means any teacher or specialist who has been regularly employed by CESD for a probationary period of not more than three successive school years and who has been retained for the next succeeding school year.

A “probationary licensed employee” is one who is not a contract licensed employee and who is employed for at least 135 consecutive days in any school year as a licensed employee in CESD.

A “temporary licensed employee” is any licensed employee hired to fill a position designated as temporary or experimental or to fill a vacancy that occurs after the opening of school because of unanticipated enrollment or the death, disability, retirement, resignation, contract nonextension, or dismissal of a contract or probationary licensed employee.

A “non-TSPC licensed member of the licensed bargaining unit” is a member who is not required to hold a license issued by the Teachers Standards and Practices Commission. Employees in this category may include, but are not limited to: occupational therapists, physical therapists, and speech pathologists.

Employees in this category complete a three year probationary period. A year is defined as being employed at least four hours per day for at least 135 days. Employees in this category who have completed their probationary period shall be subject to annual evaluation and election by the Board.

Classified Personnel

Definitions for classified personnel shall be specified in the collective bargaining agreement.

Other Personnel

A “substitute teacher” is any teacher employed to take the place of a probationary or contract teacher who is temporarily absent. A substitute teacher is employed on a day-to-day basis, without contract, and does the work of the regularly assigned teacher during the teacher’s absence from duty. Substitutes will not be eligible for fringe benefits and will be paid at a rate established annually by the Board in accordance with the provisions of Oregon law.

An “intern” is a regularly enrolled student of a college or university who teaches under the supervision of the staff of such institution and of CESD in order to acquire practical experience. The intern receives academic credit from the institution and may receive financial compensation from CESD.

A “substitute” is an employee filling a classified position for another employee on a day-by-day basis. A substitute will be paid at 95% of step 1 of the range of the position being filled.

A “short-term temporary” is an employee hired to perform a specific function or discrete job for less than 60 continuous work days. A short-term temporary will be paid at 95% of step 1 of the range for the position.

END OF POLICY

Legal Reference(s):

[ORS 243.650\(6\), \(23\)](#)

[ORS 332.505](#)

[ORS 332.554\(3\)](#)

[ORS 342.120](#)

[ORS 342.125](#)

[ORS 342.420](#)

[ORS 342.610](#)

[ORS 342.815](#)

[ORS 342.835](#)

[ORS 342.840](#)

[ORS 342.845](#)

[OAR 584-020-0005](#)

Job York v. Portland Sch. Dist., No. FDA 83-7 (August 1983).