Contracts, Policies, and Job Descriptions Can Encourage a Different Kind of School Accountability

Employment contracts, human relations policies, and job descriptions can be powerful tools for spelling out changes in expectations for teacher and principal work.

by Kirsten Limpert and Jerry Will

Discussions about how to motivate educators to change their practices often overlook opportunities provided by employment contracts, human relations policies, and job descriptions. These legal documents are designed to protect both employer and employee. But they can also be used to encourage certain professional behaviors. When constructed appropriately, they can become tools that help teachers understand job expectations and tools that help administrators focus teachers' and principals' work in a new direction.

Teachers are increasingly being viewed as

Kirsten Limpert is the alternate route program director at Emporia State University, Emporia, Kans. Jerry Will is a professor and department chair of school leadership/middle and secondary teacher education in the Teachers College at Emporia State University.
leaders who do more than just follow someone else's set of directives. They are expected to collaborate with other teachers on teams, analyze data, and match their instruction to state and national standards. So, the documents given to prospective, new, and continuing teachers should use language that conveys the organization's respect for their professional stature. The language of legal documents can still be firm in terms of expectations of professional personnel, but in fundamentally different ways than

FIG. 1.
Examples of Standard and Professional Teaching Contracts

STANDARD TEACHING CONTRACT

XYZ School District offers you the position of __________ for the school year beginning ___________ and ending ___________ at an annual salary of ___________ under the following terms and conditions:

Teachers are subject to the direction of the superintendent, as delegated by the Board of Education of XYZ School District. The superintendent has the authority to hire, assign, evaluate, and terminate teachers. A teacher may be terminated at any time and without prior notice for any reason that, in the sole opinion of the superintendent, is contrary to the interests of the district, and the district shall no longer be obligated to provide any wages or benefits.

The annual salary described above is payable in semi-monthly installments throughout the entire year.

The classroom teaching period of the academic year is a period of about nine months, commencing on ___________, the first day of school, and ending on ___________, the last day of school.

The summer period is a part of the academic year. While this is a period for rest and renewal, the superintendent may require the teacher to participate in school activities that, in the sole judgment of the superintendent, will materially contribute to the teacher's professional development and the district's continuing mission. These activities may include but are not limited to:

- Interviewing teacher or student candidates;
- Planning curricula and classroom projects for the ensuing year;
- Ordering classroom materials and supplies;
- Inservice work and self-study in concert with the school's professional development program; and
- Other school-related activities.

TEACHER CONTRACT

Teachers will be assigned additional duties, both inside and outside of the classroom environment, that may be necessary for the proper functioning of the school.

In view of the considerable inconvenience caused by the departure of a teacher before the end of the classroom teaching period of the academic year, such a departure is a significant breach of contract and will result in a discontinuance of that portion of the annual salary that has not yet been earned.

Teachers must abide by the district's Personnel Policies and Procedures, which are a part of this contract and may be amended from time to time. In addition, all teachers are expected to understand and support the educational philosophy and policies of the district as endorsed by the Board of Education and to work conscientiously to carry out the goals and objectives of the school.

Any disagreement arising out of or related to your employment by the district, including the interpretation of this contract, shall be resolved by final and binding arbitration pursuant to the Employment Dispute Resolution Rules of the American Arbitration Association and the Federal Arbitration Act. By agreeing to the arbitration, neither party waives any substantive, statutory, or other right, but merely agrees to submit the resolution of such rights in the arbitration, rather than the judicial forum. In consideration of avoiding the expense, delay, and publicity associated with litigation, the parties agree that this arbitration clause shall be broadly interpreted to include all employment-related disputes, except administrative claims for workers' compensation, unemployment insurance benefits, or other claims that are determined by judicial decision not to be referable to binding arbitration.

By: ____________________, Board President

I have read and understand the terms and conditions described above and I accept this employment contract.

By: ____________________, Employee

Date: ____________________
legal documents that pertain to noncertified district personnel.

CONTRACTS

The two contract examples in Figure 1 are explicit about accountability. The difference is in the tone used in the professional academic contract and the standard teaching contract. For example, the first point in the standard teaching contract under “terms and conditions” specifies the chain of com-

PROFESSIONAL ACADEMIC CONTRACT

XYZ School District offers you the position of __________ for the school year beginning ______________ and ending __________ at an annual salary of __________ under the following terms and conditions:

Teachers are expected to be professional educators who maintain a demeanor characteristic of academic leaders. As such, they will demonstrate an interest in working on an instructional team and make significant contributions to the work of that team. The superintendent, as delegated by the Board of Education of the XYZ School District, is considered to be an academic leader given the managerial authority to ensure the effectiveness of the district’s instructional team and has the legal right to hire, assign, evaluate, and terminate teachers. The superintendent may terminate the employment of a nontenured teacher at any time without prior notice or justification. Such an action will be considered appropriate if the teacher demonstrates behaviors that are contrary to the interests of the district, its students, and the faculty in the context of scholastic ability, academic program involvement, or professionally appropriate behaviors. If that action is taken, the district shall no longer be obligated to provide wages or benefits.

The annual salary described above is payable in semi-monthly installments throughout the entire year.

Teaching in this district is defined as an ongoing activity to serve the learning needs of students, so teachers will demonstrate a professional commitment to that goal as jointly defined by the professional staff. With regard to the instructional program in classrooms, the academic year is a period of about nine months, commencing on __________, the first day of school, and ending on __________, the last day of school.

The summer period is part of the academic year. Teachers may use unscheduled summer time for rest and renewal, with the understanding that teaching team members are to participate in school activities for which supplemental compensation will be paid according to a formula established by the Board of Education. Such activities will contribute to the teacher’s professional development and the continuing mission of the district. These activities may include but are not limited to:

- Preparing curricula and classroom projects;
- Inservice work in concert with the school’s professional development program;
- Ordering classroom materials and supplies; and
- Other school-related activities.

TEACHER CONTRACT

Teachers in this district are academic leaders who work closely with other members of the professional staff. In such a collegial and stimulating scholastic environment, they will regularly contribute to the good of school programs and student learning.

Teachers who vacate their positions before the end of the contract year are committing a significant breach of contract, which will result in a discontinuance of that portion of the annual salary that has not yet been earned.

District personnel policies and procedures, as currently written and amended, are to be considered part of this contract. Teachers are academic leaders who will help develop, contribute to, and abide by the district’s educational philosophy and policies as endorsed by the Board of Education.

Disagreements related to employment by the XYZ District, including the interpretation of this contract, shall be resolved by final and binding arbitration pursuant to the Employment Dispute Resolution Rules of the American Arbitration Association and the Federal Arbitration Act. By agreeing to the arbitration, neither party waives rights in the arbitration, rather than the judicial forum. In consideration of avoiding the expense, delay, and publicity associated with litigation, the parties agree that this arbitration clause shall be broadly interpreted to include all employment-related disputes, except administrative claims for workers’ compensation, unemployment insurance benefits, or other claims that are determined by judicial decision not to be referred to binding arbitration.

By: ________________, Board President

I have read and understand the terms and conditions described above and I accept this employment contract.

By: ________________, Employee

Date: ________________
mand and shows that the board has essentially given
the superintendent all of the necessary authority to
resolve personnel issues. In that contract, the word-
ing includes “subject to” and “in the sole opinion
of.” This contract paints a picture of a district that
could be dictatorial and uncompromising with little
regard for the professional credentials of employees
being evaluated or disciplined. Obviously, how that
works in reality depends a great deal on the super-
intendent’s personality and managerial philosophy,
but the contract’s rigid and uncompromising lan-
guage suggests to an applicant that no other consid-
erations are possible.

Since a school’s mission is to promote student
learning, any accountability effort must be tied to
student learning. If we believe that administrators
and teachers must demonstrate certain behaviors in
order to create an atmosphere that benefits student

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![FIG. 2.](image)

**A Typical School Policy Statement and One That Promotes Student Learning**

<table>
<thead>
<tr>
<th>STATEMENTS FROM A TYPICAL SCHOOL POLICY</th>
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<tbody>
<tr>
<td>The policy of the district is to employ competent staff, unified in purpose and organization, and devoted to the cause of public education.</td>
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<tr>
<td>Teachers shall follow the courses of study and use the books and other instructional material prescribed by the superintendent and approved by the board of education.</td>
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<tr>
<td>All professional staff members shall, under the direction of the superintendent and building principal, observe and enforce all policies and rules of the board and faithfully perform the duties to which they have been assigned.</td>
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<tr>
<td>Teachers shall serve on committees as directed and carry out assigned staff work.</td>
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<td>All appropriate employees shall attend inservice education sessions unless excused by the superintendent. Inservice programs may use all or a portion of the work day.</td>
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<tr>
<th>SCHOOL POLICY THAT EMPHASIZES TEACHER ACCOUNTABILITY FOR STUDENT LEARNING</th>
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<tr>
<td>District teachers will have content knowledge of the subjects they teach as indicated by their GPA and their scores on the Praxis content test.</td>
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<td>Teachers will contribute significantly to student achievement during the year, as determined by pre- and post assessments.</td>
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<td>Teachers will use relevant curricula adopted through official district processes and teach specifically to student outcomes included in those curricula.</td>
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<td>District teachers will be able to demonstrate teaching skills, specifically the ability to:</td>
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<tr>
<td>• Diagnose student learning needs;</td>
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<td>• Customize teaching for each learner;</td>
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<td>• Stimulate student interest in the course material;</td>
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<td>• Create engaging classes; and</td>
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<td>• Relate to their students and create appropriate lessons.</td>
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<td>Principals will evaluate teaching skills. Follow-up evaluations will check for improvements.</td>
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<td>District teachers will show self-reflection, especially in these three actions:</td>
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<td>• To evaluate themselves daily and reflect on how they can improve;</td>
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<tr>
<td>• To share self-reflections with a principal, peer coach, or mentor; and</td>
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<td>• To accept constructive criticism and apply it appropriately.</td>
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<td>District teachers will work collaboratively with other teachers, especially in:</td>
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<td>• Sharing best practices with each other;</td>
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<td>• Holding one another accountable; and</td>
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<td>• Participating in shared professional responsibilities.</td>
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<td>District teachers will participate in professional development activities, especially in those areas in which they:</td>
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<tr>
<td>• Apply what they learned in professional development to their classroom.</td>
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<tr>
<td>• Work collaboratively and positively with principals, peer coaches, or mentors as they observe and evaluate the implementation of strategies that teachers learn.</td>
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learning, then those expectations should be evident in contracts for both administrators who supervise and teachers and principals being supervised.

Contract language also includes messages to superintendents about expectations for their work. Traditional language suggests that superintendents are managers responsible for running an organization smoothly and efficiently and doesn’t seem to give much credence to the role of academic leadership and scholastic rigor. The traditional contract indicates that the superintendent should value teachers who maintain classroom order and follow the rules and policies of a school or district without much regard for whether those teachers provide academic leadership, embrace a love of learning for themselves, or have the ability to work on a team.

If districts value behaviors associated with scholarship, professional demeanor, and academic involvement, then contracts must say that. Contracts should also imply, and where possible overtly state, that both administrators and teachers are members of a professional academic team.

BOARD POLICIES

Educators have long sought policy language that emphasizes teacher accountability for student learning and the professionalism of teaching. In spite of calls for changes, board policies have more or less stayed the same. For example, a Kansas school district authorizes the superintendent to recruit “well-qualified personnel to staff the schools.” In the same policy, Professional Attitudes includes these statements:

- It is expected that all teachers maintain professional attitudes in their relationships with their students and fellow teachers, and responsibility for professional growth.
- Teachers shall observe all school regulations, seek professional growth, and participate in curriculum study.

Such statements are vague and don’t encourage the 21st-century expectations for teacher accountability for student learning. District policies that define professional criteria, those that focus on teacher behaviors that stimulate student learning, could look like the right-hand column in Figure 2.

JOB DESCRIPTIONS

A well-written teacher contract provides the basic job description for the classroom teacher, so separate job descriptions are necessary only for special assignments that teachers might fulfill. Job descriptions can cover such multifunction assignments as coaching, grade-level, and department leadership activities, as well as other special duties relative to a district’s needs.

In recent years, we’ve seen major shifts in what’s expected of building administrators, which is causing administrative roles to be constantly redefined. For example, district leaders now expect principals to focus more on curricular needs and instructional leadership. At the same time, many principals use site-based leadership teams that distribute the decision-making authority in such areas as building budgets and hiring new faculty.

Figure 3 (see following pages) provides side-by-side comparisons of a typical principal job description with one that is prioritized to indicate specific academic leadership responsibilities.

SUMMARY

Contracts, job descriptions, and board policies are tools available to every district to aid in shaping the expectations for employees in their organizations. They have the potential to assist superintendents, principals, and human resource officers during the hiring process. They can clarify changes in expectations for teachers and principals and even for school board members who may assist in writing them. They have the potential to hold teachers and principals accountable to professional standards. When used appropriately, they can be powerful tools that guide districts in creating a high-quality work force that is focused on improving student learning.
**FIG. 3. Examples of Typical and Prioritized Job Descriptions**

**TYPICAL PRINCIPAL JOB DESCRIPTION**

**Job Title:** Secondary School Principal

**Qualifications:** Has a current certification appropriate for the administration of assigned building(s).

Meets any other requirements set forth by state and/or local policies.

**Responsible To:** Superintendent of Schools

**Job Goal:** To provide leadership in planning, organizing, directing, evaluating, and coordinating the school program.

**Performance Responsibilities:** Establishes and maintains an effective learning climate in the school.

Schedules classes in accordance with building and district needs.

Supervises the guidance program to enhance individual student education and development.

Establishes guidelines for proper student conduct and maintaining student discipline.

**Supervision Responsibilities:** Teachers and other professional staff assigned to the building.

In cooperation with the appropriate support services supervisor, coordinates or supervises such support services as maintenance, transportation, food services, financial and accounting functions, secretarial services, and the use of instructional aides.

Plans, organizes, and directs implementation of school activities, including athletics and other extracurricular events, with assistance from the District Activities Director.

Assumes responsibility for developing, implementing, and evaluating the curriculum in cooperation with the curriculum coordinator.

Acts as liaison between the school and the community, interpreting activities and policies of the school and encouraging community participation in school life.

Orients newly assigned staff members and assists in their development, as appropriate.

Coordinates the school special education program in cooperation with the director of the Special Education Cooperative.

Evaluates according to board policy the performance of those personnel under his/her supervision.

Prepares or supervises the preparation of reports, records, lists, budgets, and all other paperwork required or appropriate to the school's administration.

Cooperates with college and university officials regarding teacher training and preparation.

In cooperation with district office personnel, assists in preparing the school's budgetary requests and monitors expenditures of funds.

Assumes supervision for all school-sponsored activities, functions, and athletic events.

Keeps abreast of current education research, trends, and developments as they pertain to the total educational program.

Makes recommendations in the hiring, training, and assigning of school staff.

Supervises the instructional staff in the development and implementation of curriculum and student activities.

Develops and implements methods for evaluating student progress toward stated educational objectives.

Serves as a member of those committees designated by the Board or Superintendent of Schools.

Performs other responsibilities as directed by the Superintendent or Board of Education, or as described in Board policy.

Prepares and implements plans for emergency procedures as required.

Maintains high standards of student conduct and enforces discipline as necessary, according due process to the rights of students.

**EVALUATION**

Performance of this job will be evaluated by the Superintendent in accordance with the provisions of the U.S.D. Board of Education policies and the state law on “Evaluation of Professional Personnel.”

**Education Requirements**

- BA from accredited university;
- Master's degree preferred in administration; and
- State Administrative Certificate.
JOB DESCRIPTION THAT EMPHASIZES PRINCIPAL'S ROLE IN MAINTAINING TEACHER ACCOUNTABILITY FOR STUDENT LEARNING

Job Title: Secondary School Principal

Qualifications: Has a current certification appropriate for the administration of assigned building(s) with emphasis as an academic leader.

Meets any other requirements set forth by state and/or local policies.

Responsible To: Superintendent of Schools

Job Goal: To play an essential role in implementing and developing curriculum as well as professional development of teachers, while providing leadership in planning, organizing, directing, and evaluating the school program.

Performance Responsibilities: Establishes and maintains an effective learning climate in the school.

Works with teachers and staff to ensure curriculum is aligned with State Learning Standards and is achieving school goals. Reviews current curriculum and recommends changes based on student performance data.

Provides leadership in development, support, and effective implementation of school's instructional program and services leading to academic success of all students.

Supervises and directs subject content personnel as assigned and ensures alignment and evaluation of educational programs and services.

Benchmarks education and career development best practices, including measurement processes, and alternative methods of delivery for student education and development.

Sets high and measurable goals for student achievement and evaluates student progress in the instructional program by means that include maintaining up-to-date student data.

Supervises and appraises the performance of the school staff.

Maintains interschool system communication and seeks assistance from central office staff to improve performance. Maintains good relationships with students, staff, parents, and community members. Respects established lines of authority.

Leads the education and career development initiatives for the staff of the school and works to assess the needs of the staff.

Responsible for benchmarking education and career development best practices, including measurement process and alternative methods of delivery.

Assumes responsibility for the development, implementation, and evaluation of the curriculum in cooperation with the curriculum coordinator.

Acts as liaison between the school and the community, interpreting activities and policies of the school and encouraging community participation in school life.

Communicates the approved curriculum to the professional staff and maintains a list of approved instructional and supplemental materials.

Orients newly assigned staff members and assists in their development, as appropriate.

Coordinates the special education program in cooperation with the director of the Special Education Cooperative.

Evaluates faculty and staff under his/her supervision according to board policy.

Prepares or supervises the preparation of reports, records, lists, and all other paperwork required or appropriate to the school's administration.

Cooperates with college and university officials regarding teacher training and preparation.

In cooperation with district office personnel, assists in the preparation of the school's budgetary requests and monitors expenditures of funds.

Establishes guidelines for proper student conduct within the school and at all school-sponsored activities.

Keeps abreast of current education research, trends, and developments as they pertain to the total educational program.

Makes recommendations in the hiring, training, and assigning of school staff.

Prepares and implements plans for emergency procedures as required.

Maintains high standards of student conduct and enforces discipline as necessary, according due process to the rights of students.

Performs other responsibilities as directed by the Superintendent or Board of Education, or as described in Board policy.

EVALUATION

Performance of this job will be evaluated by the Superintendent in accordance with the provisions of the Board of Education policies and the state law on “Evaluation of Professional Personnel.”

Education Requirements:

• BA from accredited university;

• Master's degree preferred in education that supports curriculum and administration-based master's degree; and

• State Teaching/Administrative Certificate.