



**Washington County School District**  
121 West Tabernacle Street  
Saint George, Utah 84770  
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# Administrative Letter A151

## Teacher Training Compensation

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**DATE:** April 21, 2020  
**SUBJECT:** Teacher Training Compensation  
**FROM:** Human Resource Executive Director Lyle Cox

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## Teacher Training Compensation

### **Additional Compensation and the Fair Labor Standards Act**

Teachers, like administrators, accountants, specialists, engineers, and other professionals are exempt from the additional compensation for additional work provisions of the Fair Labor Standards Act. If an individual's primary duty is teaching, tutoring, instructing or lecturing in the activity of imparting knowledge, and if they are employed and engaged in this activity as a teacher in an educational establishment they are exempt under the act. Exempt teachers include, but are not limited to, athletic coaches, regular academic teachers; kindergarten or nursery school teachers; teachers of gifted or disabled children; teachers of skilled and semi-skilled trades and occupations; home economics teachers; and vocal or instrument music teachers. The salary and salary basis requirements do not apply to bona fide teachers.<sup>1</sup> Exempt employees can be required to complete mandatory training during the contract year, even outside of regular contract hours, as a condition of their employment. While the employer is allowed to compensate exempt employees for attending additional meetings or training, it is not required under the law. The compensation received through an exempt employee's salary is regarded as payment for attendance at such meetings.

### **Payment for Mandatory Training**

While the District cannot guarantee receipt of additional payment to attend every required training meeting or professional development activity held on a day other than a contract day, the following guidelines are provided to establish reasonable and consistent treatment of teachers when such meetings are necessary.

## Meetings and Training Required by Law and/or District Policy

As a condition of employment, or as required by law for certification, teachers are required to attend and complete new-hire, annual, and periodic trainings without additional compensation (even if the training must be completed outside of normal work-time) to include, but not limited to, the following:

1. Code of Conduct Training as required by Utah Code Ann. §63G-7-301. Waivers of immunity;
2. Annual “Safe Schools” and facility compliance training as required by District, State and federal regulation to include, but not limited to, course work for bullying prevention, youth suicide prevention, drug free workplace, FERPA compliance, diversity awareness , health emergency response, prevention of harassment, blood borne pathogen protocol, and discrimination prevention;
3. New Hire Orientation;
4. Health Benefits Enrollment (if eligible);
5. Utah Retirement System Tier 2 Orientation; and,
6. Training, professional development, or orientations required by other statute or administrative rule.

## Non-Statutory/ Non-Policy - Training

Periodically implementation of non-statutory or non-policy required programs necessitate the need for training about educational software, curriculum, learning strategies, or other information. These training events may be scheduled on a non-contract day. The following standards will be used for compensation and attendance:

### Mandatory Training Compensation

Mandatory training is required as a condition of employment. Unless teacher compensation is waived by the District Superintendent as an exigency of the District’s educational program due to of lack of funding and critical need or as a meeting or training required by law and/or District Policy , mandatory teacher attendance at **non-contract day training** activities will result in additional teacher compensation at the following rates:

| Mandatory Training<br>on Non-Contract Day             | Additional Teacher Compensation        | Cost to Department/<br>(Includes cost of URS |
|---|--|--|
| Full Day  | \$150                                  | Up to \$200                                  |
| Half Day  | \$75                                   | Up to \$100                                  |
| Title 1 Programs Full Day                             | Min: \$150<br>Max: Contract Daily Rate | Up to Full Cost of Teach<br>plus URS and FI  |
| As Approved/Authorized by a Grant<br>Program Full Day | Min: \$150<br>Max: Contract Daily Rate | Up to Full Cost of Teach<br>plus URS and FI  |

### Non Compulsory – Voluntary Training Compensation

Voluntary training is not required and is not a condition of employment and as such attendance is voluntary. The District may offer opportunities to participate in voluntary training / professional development events. The sponsor or department offering a voluntary training class or event may, but is not required, to pay teachers for attendance. If compensation is offered for voluntary attendance, it may not exceed the amounts in the Mandatory Training pay chart listed above.

**Notice of Mandatory Training**

A minimum eight months notification requirement will apply to all non-contract day mandatory attendance training or professional development unless:

1. The District Superintendent requires attendance at a Mandatory Training Event as an exigency of the District’s educational program, to include situations that demand prompt action; or,
2. Legal compliance; or,
3. The incumbent of a teaching position accepts the offer of employment with the understanding that it will require specifically scheduled training.

| <b>Mandatory Attendance Notification</b>                                  | <b>Attendance is Required at Event</b>        |
|---|---|
| 8 months or more advance notice with compensation then                    | YES   |
| IF Less than 8 months advance notice then                                 | NO  |
| Any training event scheduled during a contract day with reasonable notice | YES<br><br>(no additional compensation given) |

Approved By: Larry Bergeson

Dated: 4/22/20

<sup>1</sup> Fact Sheet #17D: Exemption for Professional Employees Under the Fair Labor Standards Act (FLSA), US Department of Labor, [https://www.dol.gov/whd/overtime/fs17d\\_professional.pdf](https://www.dol.gov/whd/overtime/fs17d_professional.pdf)