
Employee Handbook 2008-2009



El Paso
Independent
School District

NOTHING LESS THAN SUCCESS!

Dear Employee:

Provided below is a summary list of key policies specific to Employment. It is essential that you become familiarized with the information provided in these policies, they will help you better understand policy relative to employer/employee accountability, responsibility and rights. All of EPISD policies may be obtained through the District's web site by clicking on *Board of Trustees* on the left hand side of the main page; under the title *Board Documents* click on *Policy Manual*, and then click on the policy online link at the right hand side.



DAA, Equal Employment Opportunity
DBD, Conflict of Interest
DBF, Non School Employment
DC, Employment Practices
DCB, Term Contracts
DEA, Salaries, Wages, and Stipends
DEC, Leaves and Absences
DFAC, Return to Probationary Status
DFB (Series), Termination of Term Contracts
DFD, Hearings before Hearing Examiner

DFE, Resignation
DFF, Reduction in Force
DGBA, Employee Complaints/Grievances
DH, Employee Standards of Conduct
DHE, Searches and Drug/Alcohol Testing
DI, Employee Welfare
DIA, Freedom from Harassment
DK, Assignment and Schedules
DN (Series), Performance Appraisal

The El Paso ISD does not discriminate in its educational programs or employment practices on the basis of race, color, religion, sex, national origin, age, disability, military status, or on any other basis prohibited by law. Inquiries concerning the application of Titles VI, VII, or IX and Section 504 may be referred to the district compliance officer, Vince Sheffield, at 881-2619; Section 504 inquiries regarding students may be referred to Cecilia Whiteman at 881-2527.

(Amended August 2008)

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Board of Trustees

Lisa Colquitt Muñoz
District 1

Carolyn J. Grantham
District 2

Carlos E. Flores
District 3

Sergio Lewis, Vice President
District 4

Vacant
District 5

Patricia L. Hughes, Secretary
District 6

David Dodge, President
District 7



Administration

Superintendent's Cabinet

Dr. Lorenzo Garcia, Superintendent 887-5488

Associate Superintendents

Robert M. Almanzán, Human Resources 881-2602

Elfida Gutierrez, Elementary Schools 887-6440

Hector Martinez, Operations 887-5410

Elizabeth Montes, Curriculum & Instruction 881-2310

Dr. Damon Murphy, Priority Schools 887-6404

Robert Ortega, Secondary Schools 887-6408

Carol Powell, Special Education & Special Services 775-2101

Assistant Superintendent

**Terri Jordan, Language Arts, Social Studies
& External Funding, Curriculum & Instruction** 881-2317

Chief of Staff

Edward Gabaldon 887-5400

Chief Business Officer

Kenneth Parker, Business Services 887-5835

Chief Technology Officer

Stephen Stiles 887-6810

Special Assistant

Mariano Silva, Curriculum & Instruction 881-2325

Julia Gentry, Curriculum & Instruction 887-6492

Helpful Contacts

Education Center Boeing	881-2700
 Telecommunications for the Deaf (TDD)	779-4172
Staff Development Center	587-1100
James Gamble Warehouse Facility	759-2900
Job Line	779-4000

OFFICE OF THE SUPERINTENDENT

Communications and Business Partners	887-5495
Human Resources	881-2600
Employee Relations	881-2620
Employee Benefits	881-2635
Internal Audit	887-5809
Police Services	887-6880
Public Relations	887-5494

Academic Division

Elementary Schools Supervision & Instruction	887-6447
Secondary Schools Supervision & Instruction	887-6426
Athletics	887-6717
Guidance Services	779-4168
Health Services	887-6709
Curriculum & Instruction	881-2311
Library Learning Resources	887-6470
Pupil Services and Alternative Schools	881-2466
Research, Evaluation, Planning & Accountability	881-2416
Special Education & Special Services	881-2503

Business Division**Auxiliary Services**

Food Services	779-4216
Print Shop	779-4328
Purchasing	759-2700
Risk Management	351-0218
Transportation	779-4002
Warehouse B	887-5470

Financial Services

Auditing	887-5815
Accounts Payable	887-5800
Finance-Budget Office	887-5847
Campus Accounting	887-5829
Payroll	887-5801
Finance-Travel Office	887-5829

Operations and Support Services

Custodial	779-4140
Facilities	887-5426
Maintenance Buildings & Grounds	779-4212

Technology & Information Systems

Main Number	887-6810
Help Desk	887-6800
Instructional Services	887-5895
Administrative Services	887-6810
Student Services	887-6861
Network Services	887-5413
Telecommunications	887-6817

A complete district directory is available on the district website (episd.org). The directory is available on *my.episd* which is the employee section of the website.

School Calendar

The approved instructional school calendar is published annually and can be found on the district website: www.episd.org.

Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are included have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to Human Resources in writing or you may email Human Resources at hr@episd.org.

This handbook is neither a contract, an amendment of any written employment contract, nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of non-contract employees in any way. Rather, it is a guide to, and a brief explanation of, district policies, administrative regulations, and procedures related to employment. These policies, administrative regulations, and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. In case of any inconsistency the official district policy manual takes precedence over this handbook. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. The district policies can be accessed on the district website at www.episd.org. Access to the website is available in any school library or from any computer with access to the internet.

El Paso Independent School District

Located in El Paso, Texas, the El Paso Independent School District is the largest district in the Texas Education Agency's Educational Service Center – Region XIX. With over 64,000 students in over 90 campuses, EPISD is the seventh largest district in Texas and the 57th largest district in the United States. The district is El Paso's largest civilian employer with more than 9,000 employees and an annual operating budget over \$400 million.

Organized in 1883, EPISD is not only a large district, but one rich in history. It was home to the first kindergarten class in Texas, in 1889.

The district's oldest operating school, Alamo Elementary School, celebrated its 100th birthday in 1999. A portion of the original building is still in use today.

Built in 1916, El Paso High School is the oldest operating high school in El Paso, Texas. Reminiscent of Greek and Roman architecture, El Paso High has become a historical benchmark for EPISD. It is listed in the National Register of Historic Places.

Through the years, EPISD has grown to encompass more than 253 square miles. It is bordered by the Canutillo Independent School District, the Texas/New Mexico state line, the

United States/Mexico border and the Ysleta Independent School District. EPISD is made up of 11 high schools, 16 middle schools and 57 elementary schools. Other campuses include an alternative high school, a health sciences magnet high school, an adult education school for GED and citizenship classes, an evening high school for recovery of students at risk of dropping out, an occupational center, a center for career and technology and several other magnet schools.

Mission Statement

Policy [AE](#)

The mission of the El Paso Independent School District is to meet the diverse needs of all students and empower them to become successful members of a global community.

District Goals

- Goal 1 – Increase student performance on TAKS
- Goal 2 – Improve accountability ratings of schools
- Goal 3 – Decrease AYP “Priority” schools
- Goal 4 – Increase percent of students performing at/or above college readiness level
- Goal 5 – Increase high school completion rate
- Goal 6 – Increase performance levels on college admissions testing (SAT, ACT)
- Goal 7 – Increase high school graduation rate
- Goal 8 – Increase percent of students graduating under the Recommended High School Program and Distinguished Achievement Program
- Goal 9 – Increase attendance rates
- Goal 10 – Increase scholarships received by EPISD graduates
- Goal 11 – Increase percent of students enrolled in four years of mathematics
- Goal 12 – Increase percent of students enrolled in four years of science
- Goal 13 – Increase percent of students enrolled in dual credit programs
- Goal 14 – Develop a career major connecting secondary students with community colleges, four-year colleges, and work opportunities

Board of Trustees

Policy [BA](#), [BAA](#), [BBA](#), [BBB](#), [BBE](#), [BBF](#), [BE](#), [BEC](#), [BED](#)

Texas law grants the board of trustees the power to govern and oversee the management of the district’s schools. The board is the policy-making body within the district and has overall responsibility for the curriculum, school taxes, annual budget, facilities and employment of the superintendent. The board has complete and final control over school matters within limits established by state and federal law and regulations.

The board of trustees is elected by the citizens of the district to represent the community’s commitment to a strong educational program for the district’s children. Trustees are elected in intervals and serve 4-year terms. Trustees serve without compensation, must be registered voters, and must reside in the district.

Current board members:

David Dodge, President
Sergio Lewis, Vice President
Patricia L. Hughes, Secretary
Lisa Colquitt Muñoz
Carolyn J. Grantham
Carlos E. Flores
Vacant

The board usually meets on the second and fourth Tuesday of the month at 5:00 pm. Meetings are held at Education Center Boardroom at 6531 Boeing Drive. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at Education Center Boeing and on the district website (episd.org) at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session from which the public and others are excluded. Closed session may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or to consult with attorneys.

Employment

Equal employment opportunity

Policy [DAA](#)

The El Paso ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, disability, military status, or on any other basis prohibited by law. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

Employees with questions or concerns relating to discrimination on any of the bases listed above should contact Vince Sheffield, Executive Director of Employee Relations at 915 881-2619.

Job vacancy announcements

Policy [DC](#)

Announcements of job vacancies by position and location are distributed on a regular basis and posted at the central administration building, campus offices, and on the district's Web site.

Employment after retirement

Retiring employees should consult TRS officials about conditions and restrictions on employment after retirement. The district adheres to TRS guidelines regarding the hiring of retirees. Every effort is made to hire a contributing member of TRS before hiring a retiree. Also, there may be no “promise of employment” before an employee retires.

Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.state.tx.us).

Contract and non-contract employment

Policy [DC](#), [DCA](#), [DCB](#), [DCC](#), [DCD](#), [DCE](#)

State law requires the district to employ all full-time professional employees in positions requiring a certificate from State Board for Educator Certification (SBEC) and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at-will or by a contract that is not subject to the procedures for non-renewal or termination under Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the district.

Probationary contracts. Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after at least a two-year lapse in district employment also may be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed in public schools for at least five of the eight years preceding employment with the district may not exceed one school year. For those with less experience, the probationary period will be three school years (i.e., three one-year, probationary contracts) with an optional fourth school year if the board determines it is doubtful whether a continuing contract should be given.

Term and continuing contracts. Full-time classroom teachers and librarians who have not retired under TRS, will be employed by continuing contracts after they have successfully completed the probationary period. Other full time professionals employed in positions requiring certification, including campus principals and central office administrators and nurses, are employed under one-year term contracts. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract (or be provided with an electronic copy) and will be given directions on how to access policies online.

Non-certified professional and administrative employees – Certain employees in professional and administrative positions that do not require SBEC certification may be employed by a one-year contract that is not subject to Chapter 21 of the Texas Education Code. See Board Policy DCE.

Paraprofessional and auxiliary employees - All paraprofessional, clerical staff and support personnel, regardless of certification, are employed at will and not by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district. It is expected that such employees resigning or retiring from the district will provide at least a two-week advance notice.

Searches and alcohol and drug testing

Policy [DHE](#)

Non-investigative searches in the workplace, including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the district reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigative search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on district premises or work sites or used in district business.

Employees required to hold a commercial driver's license - Any employee who drives a district owned vehicle and who is required to have a commercial driver's license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people, counting the driver; drivers of large vehicles; or drivers of vehicles used in the transportation of hazardous materials.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted when an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs returns to duty.

All employees required to have a CDL who are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact the Director of Transportation at 779-4243.

First aid and CPR certification

Policy [DBA](#)

The following groups of employees must hold and maintain current certification in CPR/first aid to be eligible for employment in their field.

Coaches of Athletic Programs
Physical Education Teachers
Cheerleading Sponsors
Band Directors
ROTC Instructors
Athletic Trainers

It is the employee's responsibility to become certified upon employment and maintain certification at all times. The district offers CPR/first aid certification classes in the spring and fall through the Athletic Department. These classes are offered on a limited basis and at a reduced fee. See the Athletic Department web site for dates, times and locations.

Proof of current certification must be submitted to your department director or campus supervisor at the beginning of each school year.

For further information and clarification contact your department director or campus supervisor.

Reassignments and transfers

Policy [DK](#)

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent determines that the assignment or reassignment is in the best interest of the district. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. The Principal at the receiving campus must approve reassignments (except when reassignments are due to enrollment shifts or program changes). Extracurricular or supplemental duty assignments may be reassigned at any time. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

Employees with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee. Teachers requesting a transfer to another campus before the school year begins must submit their request by the date posted by Human Resources each year. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resources Department and must be approved by the receiving supervisor.

Employees seeking a transfer need to be prepared to interview for vacant positions.

Workload and work schedules

Policy [DK](#), [DL](#)

Professional employees. Professional and administrative employees are exempt from overtime pay and are employed according to the work schedules set by the district. A school calendar is adopted each year designating instructional days and school holidays.

Classroom teachers will have planning periods for instructional preparation and conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes.

Paraprofessional, Clerical and Support employees - Support employees are employed at will and will be notified of the required duty days, holidays, and hours of work for their position on an annual basis. Hourly employees are not exempt from overtime and are **not authorized** to work in excess of their assigned schedule without **prior** approval from their supervisor. All hours on duty must be accurately reflected on the weekly time sheet.

Hours on Duty

Policy [DK](#), [DEA](#)

Teachers are required to be on duty fifteen minutes prior to the start time for students and must remain on duty until all housekeeping has been completed at the end of the day. Teachers may be required to attend meetings before or after school. Teachers are entitled to a 30 minute duty-free lunch.

Employees on the daily pay schedule, or on the teacher pay schedule that are not in the classroom, typically are on duty from 8:00 am to 4:30 pm with a half hour for lunch. The campus principal may adjust the start time and end time to coincide with the campus schedule and campus principal & department heads may adjust the start and end time in the best interest of the district.

Hourly employees typically are on duty from 7:00 am to 3:30 pm, or 7:30 am to 4:00 pm, or 8:00 am to 4:30 pm depending on the type of position held and are to take a 30-minute lunch. The campus principal or department head may adjust the start time and end time when it is in the best interest of the district.

Notification of parents regarding qualifications

Policy [DK](#), [EHBD](#)

In schools receiving Title I funds, the district is required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. NCLB also requires that parents be notified if their child has been assigned to, or taught for more than 20 consecutive instructional days by, a teacher who is not highly qualified.

Texas law also requires that parents be notified if their child is assigned for more than 20 consecutive days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notification under NCLB is sent. Inappropriately certified or uncertified teachers include individuals serving with an emergency permit (including individuals waiting to take the TEXES exam) or individuals who do not hold any certificate or permit. No later than the 31st instructional day after the date of assignment the

superintendent or designee will send a written notice to parents. Information relating to teacher certification will be made available to the public upon request.

Employees who have questions about their certification status can call the Certification Coordinator at 881-2611.

Outside employment and tutoring

Policy [DBF](#)

An employee shall not engage in any outside business or employment that may interfere with the employee's assigned duties. Please review Policy DBF (Local) for exceptions that apply to Fine Arts teachers.

Coaching/tutoring of students for pay is permitted provided the child is not coached/ tutored in a subject by a certified employee who is at the time teaching the student the subject. Private coaching/tutoring for pay may not be done on school property. Employees working in the District tutorial program are not governed by the above.

Performance evaluation

Policy [DN](#), [DNA](#), [DNB](#)

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. Employees will participate in the evaluation process with their assigned supervisor at least annually, but teachers on a continuing contract may be eligible for a less-than-annual appraisal. Please refer to policy DNA (Local) for specific details. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda can also be used to document performance information. All employees will receive a copy of their written evaluation, have a performance conference with their supervisor, and get the opportunity to respond to the evaluation. The information calendar on deadlines is provided to department heads and principals yearly.

Employee involvement

Policy [BQA](#), [BQB](#)

At both the campus and district levels, El Paso ISD offers opportunities for input in matters that affect employees. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office or from the Chief of Staff at 887-5400.

Staff Development

Policy [DMA](#)

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based,

related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for non-instructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation.

Additional information on available staff development opportunities can be found on “my.episd.org” on the district’s website (www.episd.org).

Compensation

Salaries, wages, and stipends

Policy [DEA](#)

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. The district’s pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional and administrative employees are generally classified as exempt and are paid on a salary basis. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid based on hourly wages and receive compensatory time or overtime pay for each overtime hour worked beyond 40 in a workweek. (See *Overtime*, page 16)

Employees will receive written notice of their pay at the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the district’s extra-duty pay schedule.

Employees should contact Human Resources, at 881-2600, for more information about the district’s pay schedules or their own pay.

Paychecks

Employees are paid semi-monthly, on the 15th and the last work day of the month. (If the payday falls on a weekend, the employee will be paid on the Friday before that weekend.) Paychecks will not be released to any person other than the district employee named on the check without the employee’s written authorization.

An employee’s payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

The schedule of pay dates for each school year is listed on the district website (episd.org).

Direct deposit

Employees can have their paychecks electronically deposited directly into a checking or savings account. Once an original completed direct deposit form is received in the Payroll Office, it may take up to four active paydays to become effective. With direct deposit, an employee's pay should be immediately available on the pay date. A change of bank information or cancellation of direct deposit is required in writing at least two weeks prior to the payday. Direct deposit is automatically canceled for employees leaving the district.

Direct deposit forms are available online at www.my.episd.org. You may contact the payroll department at 887-5800 for more information.

Payroll deductions

Policy [CFEA](#)

Automatic payroll deductions for the Teacher Retirement System of Texas (TRS) and federal income tax are required for all full-time employees. Medicare tax deductions also are required for all employees hired after March 31, 1986. Temporary and part-time employees who are not eligible for TRS membership must have the FICA alternative (3121 Plan) deducted.

Additionally, court ordered levies or wage garnishments may also be deducted per legal documents. Salary deductions are automatically made for unauthorized or unpaid leave.

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance and annuities. Employees also may request payroll deduction for payment of membership dues to professional organizations, etc. Voluntary deductions require written authorization from the employee.

Overtime compensation

Policy [DEA](#)

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only nonexempt employees (hourly employees, paraprofessional and clerical employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.

Overtime is legally defined as all hours worked in excess of 40 hours weekly and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:00 am Sunday and ends at 11:59 pm on Saturday.

Employees may be compensated for overtime in two ways: the employee may accumulate compensatory time at time-and-a-half rate or the employee may submit a time card to be paid

the overtime. Before the employee works the additional hours, the employee should agree with the supervisor which method of compensation will be used. The following applies to all nonexempt employees:

- Employees can accumulate up to **60** hours of compensatory time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval as workload permits.
- Employees are required to use comp time before using any other available paid leave (e.g., sick, personal, vacation).
- Weekly time sheets will be maintained on all nonexempt employees for the purpose of wage and salary administration. Employees are responsible to complete the time sheet to reflect ACTUAL time worked.

Travel expense reimbursement

Policy [DEE](#)

Before any travel expenses are incurred by an employee, the employee's supervisor must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. For more detailed information, see Bulletin 23 on Travel Guidelines and refer to policy DEE.

Employee Benefits

Health, dental, and life insurance

Policy [CRD](#)

Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to employees upon initial enrollment and prior to annual enrollment each year.

Employees requiring assistance may contact Employee Benefits at 915-881-2670.

Group health insurance coverage is available to all permanent employees working 20 or more hours per week. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Detailed descriptions of insurance coverage, prices, and eligibility requirements are provided to all employees upon initial enrollment and upon written request. Employees may access their information 24/7 at www.episdbenefits.org.

The health insurance plan year is from January 1 through December 31. New employees must complete enrollment forms within the first 31 days of employment. Current employees can make changes in their insurance coverage during annual enrollment or anytime there is a change in family status. Employees have a 31 day window to make changes due to a change in family status to include: marriage, birth, adoption, death, divorce, dependent turning of age, etc. Employees should contact Employee Benefits at 915-881-2670 for more information.

Voluntary insurance benefits

Policy [CRG](#)

At their own expense, employees may enroll in district offered, voluntary, insurance programs. Premiums for these programs may be paid by payroll deduction. For more information on voluntary benefit plans, visit www.episdbenefits.org.

Cafeteria plan benefits (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125 Premium Conversion) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (e.g., medical, vision and dental, and additional term life insurance).

Additionally, the District offers a Flexible Spending Account Program for out-of-pocket medical and dependent care expenses. New employees must accept or reject this benefit during their first month of employment. All employees must elect or waive coverage during their initial enrollment period and during any specified mandatory enrollment and annual enrollment for each new plan year. Enrollment is required annually in order to specify the annual pledge amount.

Workers' compensation insurance

Policy [CRE](#)

The district, in accordance with state law, provides workers' compensation benefits to employees. The district provides workers' compensation coverage through self-insurance, which pays for reasonable and necessary medical treatment and provides temporary income benefits (TIBs) to compensate the employee for lost wages due to a compensable injury. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents must be reported to your supervisor immediately. Employees with questions or concerns relating to the workers' compensation insurance can contact Risk Management Department at (915) 351-5200 or online at <http://safety.episd.org/index2.php>

Unemployment compensation insurance

Policy [CRF](#)

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits under the Texas Unemployment Compensation Act. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the Supervisor for Customer Service and Records.

Teacher retirement

Policy [DEG](#)

All personnel employed on a regular basis for at least one-half of the normal work schedule are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year may, upon permanent employment of at least one-half of the normal work schedule, be eligible to purchase a year of creditable service for each school year (September through May) in which they worked 90 days or more. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify TRS as soon as possible. Information on the application procedures for TRS benefits are available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.state.tx.us).

The district encourages employees planning to retire, to provide at least a six-month advance notice to the Employee Benefits Office to ensure timely processing of TRS benefits.

Tax Deferred Programs

The District offers a variety of retirement savings accounts to help employees save for their retirement future. Currently, the District offers an Employer Sponsored 457-Tax Deferred Compensation Plan and a 403b-Tax Sheltered Annuity Program. Both allow the employee to establish a retirement savings account tax deferred. For more information on these benefit plans visit www.episdbenefits.org.

Absences

Policy [DEC](#)

Sick Leave and Personal Leave

At the beginning of the year, an employee shall be credited with the maximum number of leave hours that he or she may earn for the school year. The leave credited at the beginning of the school year will be adjusted at the end of the year, or when the employee leaves employment with the district, to the number of leave hours earned. This adjustment may require:

1. That a dock in pay be taken from the employee's last paycheck; or
2. That a dock in pay be taken from the next available paycheck; or
3. That the number of leave days that will be granted for the following year will be reduced.

The district provides employees with state personal leave and local district sick leave based on the number of days worked. The amount of leave credited in the first three years of continuous creditable employment is different than leave credited beginning with the fourth year of continuous creditable employment. Please see the tables on pages 25-28. Be sure to review the table based on the number of years you have been continuously employed by the district.

Definitions

The following definitions apply to sick leave accrued before May 30, 1995, local sick leave and state personal leave.

Sick Leave Accrued before May 30, 1995 – There was no state personal leave before May 30, 1995. The first five days of leave accrued was considered state sick leave days and any remaining leave was considered local sick leave days.

State Personal Leave – This is leave granted by the state, after May 30, 1995, and may be accumulated with no limit. There are restrictions on using this leave. Each regular employee (those eligible under the Teacher Retirement System of Texas, not substitutes or temporary employees) earns state personal leave according to the chart on page 25-28.

Local Sick Leave – This is leave granted by the district, in addition to the State Personal Leave and may be used only for approved reasons. Each regular employee earns local sick leave based on the number of days or hours paid during the school year. **Substitutes and temporary employees are not eligible for local sick leave.**

Non-discretionary - Leave that is taken for personal or family illness, emergency, a death in the family, or active military service is considered non-discretionary leave. This type of leave allows very little or no advance planning.

Discretionary - Leave that is taken at an employee's discretion and that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a notice of the request in advance of the anticipated absence to his or her principal or supervisor. Discretionary personal leave will be granted on a first-come, first-served basis. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor. Examples of discretionary leave: attending a conference with a spouse; taking a child to college; meeting with financial institutions; or for any personal business. There are restrictions on using this leave and it is always charged to State Personal Leave.

Compensatory Leave – Non-exempt employees may earn compensatory time in lieu of overtime payments. This leave is tracked on the Weekly Time Sheet. Compensatory leave must be used before any other leave category.

Immediate Family – The term “immediate family” shall include:

1. Spouse
2. Son or daughter, including a biological, adopted or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis.
3. Parent, stepparent, parent-in-law, or other individual who stands in loco parentis to the employee.
4. Sibling, stepsibling, sibling-in-law.
5. Grandparent or grandchild.
6. Any person who may be residing in the employee’s household at the time of illness or death.

Family Emergency – The term “family emergency” includes situations involving the employee or a member of the employee’s immediate family, for which the employee needs to be absent.

Workday – A “workday” for purposes of accumulation, use, or recording shall mean the number of hours per day associated with the employee’s usual work assignment, whether full-time or part-time. Assignments to seasonal work, substitute, temporary, summer school, tutorial, overtime, or additional days relating to extra performance pay do not earn leave. Employees may not use accrued sick leave to cover absences for such assignments.

School Year – The “school year” is the period between July 1 and June 30.

Year of Creditable Service – A “year of creditable service” is:

1. Employment for at least 90 full time workdays of the school year; or
2. Employment for at least 180 days of the school year for at least 50 percent but less than 100 percent of the normal workday.

Local Sick Leave and State Personal Leave

Below are the reason codes that can be used for absences from work.

10	Personal Illness	30	Approved Vacation
11	Illness of Family	31	Approved Non-duty
12	Family Emergency	32	Jury Duty
13	Death of Immediate Family	33	Approved School Trip
14	Death of Other Family	34	Court Ordered Appearance
28	Personal Business	35	Military Duty
29	Absent Without Pay	37	Inservice – Sub Required
		37	Inservice – NO Sub Required

If the employee has a compensatory time balance, an absence should be charged to comp time first and then to either local or state leave. When sick leave and personal leave have both been exhausted, the employee will be docked for the absence.

The employee cannot choose to be “absent without pay” without permission of the supervisor.

For the amount of local leave and state personal leave credited each year, see the tables on pages 25-28.

Personal absences

State law entitles all employees to five days or 40 hours of paid personal leave per year. Personal leave is credited at the beginning of each school year but has not actually been earned until the year is complete. There is no limit on the accumulation of state personal leave, and it can be transferred to other Texas school districts and is generally transferable to education service centers.

There are two types of personal leave:

1. Non discretionary leave, and
2. discretionary leave

A request for non discretionary personal leave is used when situations, occurrences, or incidents prevent the employee from reporting to work. Non discretionary leave reasons allow very little, if any advance planning and the leave should be granted in every case.

A request for discretionary personal leave must be submitted to the principal or immediate supervisor, in writing, at least one day (24 hours) in advance for each period of planned absence. Use of discretionary personal leave shall be considered granted unless the principal or immediate supervisor notifies the employee to the contrary.

Discretionary personal leave may not be taken for more than 5 consecutive days or 40 hours per semester or 10 days, maximum, per payroll year except in extenuating circumstances as determined by the Superintendent.

Personal leave may not be allowed in the following circumstances:

- The first day of instruction
- The last day of instruction
- The day before a school holiday.
- The day after a school holiday.
- Days scheduled for end-of semester or end of year exams.
- Days scheduled for state-mandated assessments.
- Professional or staff development days.

If the employee has a compensatory time balance, an absence should be charged to comp time first and then to either local or state leave.

For the amount of personal leave credited each year, see the tables on pages 25-28.

Catastrophic Leave

The District has established a sick leave bank to benefit employees who are faced with extended absences due to catastrophic, long-term illness or injury to the employee or to an immediate member of his or her family. Catastrophic leave bank participants whose sick and personal leave is exhausted may draw from the bank for catastrophic illness or injury.

Contributions to the bank shall be made between September 1 and October 1 of each school year. All requests for consideration of sick leave bank benefits shall be submitted to the director for Employee Benefits for review and approval.

An employee requesting days from the bank must be incapacitated from the performance of his or her duties as an employee of the District, or reasonably certain to result in such capacity for 20 workdays within one year. If applying due to the illness or injury of an immediate family member, the employee's incapacity to work must be for 60 consecutive work days.

Employees who are eligible to draw from the bank will receive no more than 30 days per request. If necessary, contributors may reapply for up to an additional 30 sick leave days. Leave from the bank may not be used from one school year to the next. Employees must reapply at the beginning of the new school year.

Any leave days given to a contributor shall be coordinated with any collateral benefits being received by the contributor, so that the sum of the amount of collateral benefits and the amount of sick leave benefits received by the contributor, does not exceed the contributor's pre-illness or pre-injury rate of pay.

Contact Employee Benefits at 881-2670 for additional information on the catastrophic sick leave bank.

Non-Duty

Employees that work 221 days or more per year, are credited with non-duty days at the beginning of each year (July 1). The number of days credited is dependent on the number of actual work days on the official school calendar. The difference between work days on the official school calendar, and work days assigned, is the number of non-duty days that are credited. (There are some positions that begin work early in the year and are provided with non-duty days so they do not exceed the assigned number of days. The positions that are less than 221 days that receive non-duty days are listed on Bulletin 4, Human Resources.)

Non-duty days are considered discretionary days and should be requested in advance. (See definition of discretionary leave on page 20.) Non-discretionary leave, (for example sick leave or emergency leave), may be charged to non-duty by the employee.

Vacation Days

Positions on an hourly pay schedule that work 238 days or more, per year, are granted 10 vacation days or 80 hours. Vacation days or hours must be requested in advance and are considered discretionary days. (See definition for discretionary leave on page 20.) Non-discretionary leave, (for example sick leave or emergency leave), may be charged to vacation days by the employee.

Payment for Accumulated Leave at Retirement

At the time of retirement or resignation, an employee shall be paid one-half of the accumulated leave to his or her credit based on the salary or wages for the last year of employment if:

1. The employee is retiring, or is eligible to retire, in accordance with the Teacher Retirement System (TRS) provisions; or
2. The employee has reached the age of 65 with less than the minimum number of years of creditable service for vested interest in TRS; or
3. The employee is eligible to retire under TRS but elects not to accept retirement benefits from the Texas Teacher Retirement System because benefits from the spouse's retirement plan would be reduced; or
4. At the time of death, the employee was actively employed by the District and was eligible to retire under TRS provisions. In conforming to this last provision, payment will be made to the employee's estate.

Personal Leave and Sick Leave Accrual Tables

Accrual Days of Leave Earned for Full Time Employees With Less Than 3 Years Creditable Service

<u>Days Worked</u>			<u>Hours Worked</u>			<u>Personal Leave Days</u>	<u>Personal Leave Hours</u>	<u>Local Sick Leave Days</u>	<u>Local Sick Leave Hours</u>
0	-	14	0	-	115	.0	0	.0	0
14.5	-	28	116	-	227	.5	4	.0	0
28.5	-	42.5	228	-	343	1.0	8	.0	0
43	-	56.5	344	-	455	1.5	12	.0	0
57	-	71	456	-	571	2.0	16	.0	0
71.5	-	85	572	-	683	2.5	20	.0	0
85.5	-	99.5	684	-	799	3.0	24	.0	0
100	-	113.5	800	-	911	3.5	28	.0	0
114	-	128	912	-	1027	4.0	32	.0	0
128.5	-	142	1028	-	1139	4.5	36	.0	0
142.5	-	156.5	1140	-	1255	5.0	40	.0	0
157	-	170.5	1256	-	1367	5.0	40	.5	4
171	-	185	1368	-	1483	5.0	40	1.0	8
185.5	-	196.5	1484	-	1575	5.0	40	1.5	12
197	-	208	1576	-	1667	5.0	40	2.0	16
208.5	-	219.5	1668	-	1759	5.0	40	2.5	20
220	and	Over	1760	and	Over-	5.0	40	3.0	24

Accrual Days of Leave Earned for Full Time Employees With 3 Years Continuous Creditable Service

<u>Days Worked</u>			<u>Hours Worked</u>			<u>Personal Leave Days</u>	<u>Personal Leave Hours</u>	<u>Local Sick Leave Days</u>	<u>Local Sick Leave Hours</u>
0	-	8	0	-	67	.0	0	.0	0
8.5	-	16	68	-	131	.5	4	.0	0
16.5	-	24.5	132	-	199	1.0	8	.0	0
25	-	32.5	200	-	263	1.5	12	.0	0
33	-	41	264	-	331	2.0	16	.0	0
41.5	-	49	332	-	395	2.5	20	.0	0
49.5	-	57.5	396	-	463	3.0	24	.0	0
58	-	65.5	464	-	527	3.5	28	.0	0
66	-	74	528	-	595	4.0	32	.0	0
74.5	-	82	596	-	659	4.5	36	.0	0
82.5	-	90.5	660	-	727	5.0	40	.0	0
91	-	98.5	728	-	791	5.0	40	.5	4
99	-	107	792	-	859	5.0	40	1.0	8
107.5	-	115	860	-	923	5.0	40	1.5	12
115.5	-	123.5	924	-	991	5.0	40	2.0	16
124	-	131.5	992	-	1054	5.0	40	2.5	20
132	-	140	1056	-	1123	5.0	40	3.0	24
140.5	-	148	1124	-	1187	5.0	40	3.5	28
148.5	-	156.5	1188	-	1255	5.0	40	4.0	32
157	-	164.5	1256	-	1319	5.0	40	4.5	36
165	-	173	1320	-	1387	5.0	40	5.0	40
173.5	-	181	1388	-	1451	5.0	40	5.5	44
181.5	-	189.5	1452	-	1519	5.0	40	6.0	48
190	-	199.5	1520	-	1599	5.0	40	6.5	52
200	-	209.5	1600	-	1679	5.0	40	7.0	56
210	-	219.5	1680	-	1759	5.0	40	7.5	60
220	and	Over	1760	and	Over	5.0	40	8.0	64

Accrual Days of Leave Earned for HALF Time Employees With Less Than 3 Years Creditable Service

<u>Days Worked</u>			<u>Hours Worked</u>			<u>Personal Leave Days</u>	<u>Personal Leave Hours</u>	<u>Local Sick Leave Days</u>	<u>Local Sick Leave Hours</u>
0	-	14	0	-	115	.0	0	.0	0
14.5	-	28	116	-	227	.0	2	.0	0
28.5	-	42.5	228	-	343	.5	4	.0	0
43	-	56.5	344	-	455	.5	6	.0	0
57	-	71	456	-	571	1.0	8	.0	0
71.5	-	85	572	-	683	1.0	10	.0	0
85.5	-	99.5	684	-	799	1.5	12	.0	0
100	-	113.5	800	-	911	1.5	14	.0	0
114	-	128	912	-	1027	2.0	16	.0	0
128.5	-	142	1028	-	1139	2.0	18	.0	0
142.5	-	156.5	1140	-	1255	2.5	20	.0	0
157	-	170.5	1256	-	1367	2.5	22	.0	0
171	-	185	1368	-	1483	3.0	24	.0	0
185.5	-	196.5	1484	-	1575	3.0	26	.0	0
197	-	208	1576	-	1667	3.5	28	.0	0
208.5	-	219.5	1668	-	1759	3.5	30	.0	0
220	and	Over	1760	and	Over-	4.0	32	.0	0

Accrual Days of Leave Earned for Half Time Employees With 3 Years Continuous Creditable Service

<u>Days Worked</u>			<u>Hours Worked</u>			<u>Personal Leave Days</u>	<u>Personal Leave Hours</u>	<u>Local Sick Leave Days</u>	<u>Local Sick Leave Hours</u>
0	-	8	0	-	67	.0	0	.0	0
8.5	-	16	68	-	131	.0	0	.0	0
16.5	-	24.5	132	-	199	.5	2	.0	0
25	-	32.5	200	-	263	.5	4	.0	0
33	-	41	264	-	331	1.0	6	.0	0
41.5	-	49	332	-	395	1.0	8	.0	0
49.5	-	57.5	396	-	463	1.5	10	.0	0
58	-	65.5	464	-	527	1.5	12	.0	0
66	-	74	528	-	595	2.0	14	.0	0
74.5	-	82	596	-	659	2.0	16	.0	0
82.5	-	90.5	660	-	727	2.5	18	.0	0
91	-	98.5	728	-	791	2.5	20	.0	0
99	-	107	792	-	859	3.0	22	.0	0
107.5	-	115	860	-	923	3.0	24	.0	0
115.5	-	123.5	924	-	991	3.5	26	.0	0
124	-	131.5	992	-	1054	3.5	28	.0	0
132	-	140	1056	-	1123	4.0	30	.0	0
140.5	-	148	1124	-	1187	4.0	32	.0	0
148.5	-	156.5	1188	-	1255	4.5	34	.0	0
157	-	164.5	1256	-	1319	4.5	36	.0	0
165	-	173	1320	-	1387	5.0	38	.0	0
173.5	-	181	1388	-	1451	5.0	40	0	2
181.5	-	189.5	1452	-	1519	5.0	40	.5	4
190	-	199.5	1520	-	1599	5.0	40	.5	6
200	-	209.5	1600	-	1679	5.0	40	1.0	8
210	-	219.5	1680	-	1759	5.0	40	1.0	10
220	and	Over	1760	and	Over	5.0	40	1.5	12

Leaves

Policy [DEC](#)

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who have personal needs that will require absences longer than 3 days, should call Employee Benefits at 881-2670, for counseling about leave options and continuation of benefits.

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form. Any employee who is absent more than 3 consecutive days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work.

Family and medical leave

Employees who have been employed by the district for at least 12 months and have worked at least 1,250 hours in the 12 months immediately preceding the need for leave are eligible for family and medical leave. Eligible employees can take up to 12 weeks of leave in a twelve-month period for the following reasons:

- The birth, adoption, or foster placement of a child
- To care for a spouse, parent, or child with a serious health condition
- An employee's serious health condition

A husband and wife who are both employed by the district are subject to limits in the amount of leave that they can take to care for a parent with a serious health condition or for the birth, adoption, or foster placement of a child.

Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job. If accumulated leave balances are exhausted and the employee is not receiving pay, the employee must make payment arrangements with the payroll office, for any benefit coverage for which they are currently paying. Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

Family and medical leave generally runs concurrently with accrued sick and personal leave, temporary disability leave, and absences due to a work-related illness or injury. The district generally will designate the leave as family and medical leave, if applicable, and notify the employee that accumulated leave will run concurrently. Use of accrued paid leave while on FMLA is optional for those employees receiving workers' compensation wage benefits.

In some circumstances, employees may take family and medical leave in blocks of time or by reducing their normal weekly or daily work schedule. Intermittent leave may be taken under the following circumstances:

- An employee is needed to care for a seriously ill spouse, child, or parent
- An employee requires medical treatment for a serious illness
- An employee is seriously ill and unable to work
- An employee becomes a parent or has a foster child placed in his or her home

When the need for family and medical leave is foreseeable, employees who want to use it must provide 30-day advance notice of their need. When the need for leave is not foreseeable, employees must contact Employee Benefits at 881-2670, as soon as possible.

Employees may be required to provide the following:

- Medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member
- Second or third medical opinions and periodic re-certification of the need for leave
- Periodic reports during the leave regarding the employee's status and intent to return to work
- Medical certification from a qualified health care provider at the conclusion of leave of an employee's ability to return to work

Employees requiring family and medical leave should contact Employee Benefits at 881-2670, for details on eligibility, requirements, and limitations.

Temporary disability

Certified employees. Any full-time professional employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. A full-time educator may request to be placed on temporary disability leave, or may be placed on leave. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. The leave request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days. If disability leave is not approved, the employee must return to work, be approved for another type of available leave or be subject to termination procedures.

If an employee is placed on temporary disability leave involuntarily, he or she has the right to request a hearing before the board of trustees. The employee may protest the action and present additional evidence of fitness to work.

When an employee is ready to return to work, Employee Benefits should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to do the job. Professional employees returning from leave will be reinstated to the school to which they were previously assigned as soon as an appropriate position is available. If a position is not available before the end of the school year, professional employees will be reinstated at the beginning of the following school year.

Leave of Absence

In addition to the provisions for restoration to position following FMLA leave, the position and benefits of an employee who is out on a paid leave of absence covered by sick leave or personal leave shall be held until all such leave has been exhausted. Upon return to duty, the employee shall be restored to the previous position, provided that the employee was covered by sick leave or paid personal leave for the duration of the absence.

An unpaid leave of absence may be granted to an employee who has completed one or more years of successful employment with the District. The granting of an unpaid leave of absence to eligible employees will be based on the following reasons:

- Personal Illness - the employee's written request must be accompanied by a doctor's statement. An employee who takes family and medical leave and later is granted an additional leave of absence for personal illness, shall count the days taken during FMLA (and temporary disability leave if applicable) as part of the total number of days allowed during the unpaid additional leave.
- Professional study - An employee who has been issued a term or continuing contract may be granted an unpaid leave of absence to pursue professional study, to study in a foreign country, or for extensive travel that would aid the employee in the performance of his or her assignment.

An employee not on a term or a continuing contract may be granted an unpaid leave of absence for professional study provided the employee has completed four years of continuous satisfactory service to the District

- Extreme Hardship - An employee may be granted an unpaid leave of absence if it involves the welfare of a member of the employee's immediate family.

An unpaid leave of absence is granted one semester at a time, for a period of up to two years.

An employee returning from a leave of absence must notify Employee Benefits of a desire to return to active duty at least 30 days prior to the expected return date. The notice must be accompanied by a physician's statement, if applicable, indicating the employee's ability to resume work.

A certified contractual full-time employee returning from an unpaid leave of absence other than family medical leave is entitled to an assignment within the District equivalent to the assignment vacated when he or she was placed on leave, subject to the availability of a suitable position and subject to all Board policies regarding the filling of vacancies and assignments.

A non-certified or non-contractual full-time employee returning from an unpaid leave of absence other than family medical leave shall be given every consideration for a position over an applicant who is new to the District.

Workers' compensation benefits

Policy [CRE](#), [DEC](#)

The Board may provide that while an employee is receiving workers' compensation benefits, the employee may elect to receive previously accrued sick leave benefits in an amount equal to the difference in the workers' compensation benefits and the weekly compensation the employee was receiving before the injury that resulted in the claim, with a proportionate deduction in the employee's sick leave balance. *Labor Code 504.052*

The Board has adopted the offset option provided by law whereby an employee absent because of a job-related illness or injury may choose to:

*Receive workers' compensation wage benefits only; or
use available paid leave in proportional amounts to supplement workers'
compensation wage benefits, up to the regular pre-injury weekly wage.*

The employee shall indicate if he or she chooses to use available paid leave in this circumstance and, if so, may choose to discontinue use at any time.

An employee absent because of a job-related illness or injury shall be placed on Family and Medical Leave, if applicable.

Assault leave

Assault leave provides extended income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person non-responsible for purposes of criminal liability.

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

Jury duty

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and shall be allowed to retain any compensation they receive.

Other court appearances

Employees may comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Unless at the request of the District, absences for court appearances must be taken as personal leave or leave without pay (if no personal leave is available). Employees may be required to submit documentation of their need for leave for court appearances.

Military leave

Paid leave for military service - Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve component of the armed forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days per year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Re-employment after military leave - Employees who leave the district to enter into the United States uniformed services or are ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they are still qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment to Employee Benefits.

Continuation of health insurance - Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact Employee Benefits (881-2670) for details on eligibility, requirements, and limitations.

Employee Relations and Communications

Employee recognition and appreciation

Policy [DJ](#)

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, and through special events and activities.

District communications

Throughout the school year, the Communications office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

Complaints and grievances

Policy [DGBA](#)

In an effort to hear and resolve employee concerns or complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly process that all employees must follow. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at any time.

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. For ease of reference, the district's policy concerning the process of bringing concerns and complaints is reprinted as follows:

Policy DGBA Local

PERSONNEL-MANAGEMENT RELATIONS: EMPLOYEE COMPLAINTS/GRIEVANCES

PURPOSE	The purpose of this policy is to provide employees an orderly process for the prompt and equitable resolution of complaints/grievances. The Board intends that, whenever feasible, complaints/grievances be resolved at the lowest possible administrative level. The policy shall not be constructed to create new or additional substantive rights beyond those granted by Board policy or law.
OTHER REVIEW PROCESSES	Some topics are governed by other review processes.
DISMISSAL OR NONRENEWAL	1. Employee termination and suspension procedures for probationary, term, and continuing contract employees are found in policy series DF. An employee's suspension, dismissal, or non-renewal may be the subject of complaint under this policy only if the District does not otherwise provide for a hearing on the matter.
NON-DISCRIMINATION	2. Issues specific to sexual harassment complaints are found in DHC(LOCAL). The names of District coordinators for compliance with federal nondiscrimination laws are found in DAA (LOCAL).
INSTRUCTIONAL MATERIALS	3. Grievances regarding instructional materials are covered under EFA(LOCAL).
PEACE OFFICERS	4. For grievances against District peace officers, the provisions of CKE supplement this policy.
NOTICE TO EMPLOYEES	The principal of each campus and other supervisory personnel shall ensure that all employees under their supervision are informed of this policy. Employees shall be provided a copy of the policy at the time of employment and whenever it is revised.

DEFINITION	A grievable complaint under this policy shall include grievances concerning an employee's wages, hours of employment, or conditions of work, and specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, or disability, or on the basis of the employee's exercise of constitutional rights. A complaint must specify the individual harm alleged. A complaint must also be timely under the time lines and grievance procedures provisions of this policy in order to be grievable.
CONSOLIDATION	When the Superintendent determines that two or more individual complaints are sufficiently similar in nature and remedy to permit their resolution through one proceeding, he or she may consolidate the complaints.
FREEDOM FROM RETALIATION	Neither the Board nor the administration shall unlawfully retaliate against any employee for bringing a complaint under this policy. [See DG(LEGAL)]
WHISTLEBLOWER COMPLAINTS	<p>Employees who allege unlawful discrimination or retaliation for reporting a violation of law to an appropriate law enforcement authority shall invoke this policy not later than 90 days after the date the alleged violation occurred or was discovered by the employee through the use of reasonable diligence.</p> <p>The grievant shall deliver his or her complaint to the Superintendent or designee. If the complaint is not resolved at that level, the Superintendent shall ensure that the matter reaches the Board expeditiously. Time lines for the employee and the District set out in this policy may be shortened to ensure that the Board's final decision is made within 60 days of the initiation of the complaint.</p>
APPRAISALS	For grievances regarding appraisals, the provisions of DN, DNA, and DNB supplement this policy. The appropriate associate superintendent shall act as the Superintendent's designee regarding such grievances.
GENERAL PROVISIONS	A grievance must specify the individual harm alleged. Complaints shall be heard in informal administrative conferences. All complaints arising out of an event or related series of events must be addressed in one complaint. An employee is precluded from bringing separate or serial complaints concerning events that have previously been addressed through the grievance procedures.
TIME LINES	<p>The time lines in this policy are mandatory. Failure to comply with them constitutes a waiver by the grievant of the grievance, and no action shall be taken on the grievance, except in extenuating circumstances agreed upon by both parties. All time lines issues may be appealed to the Board.</p> <p>All forms, letters, or documents, designated to be received by specific individuals are to be in the possession of the individual or his or her designee or designated representative by 4:30 p.m. of the limiting date as set out in this policy. Receipt of a required document by a grievant's designated representative (if any) shall be the equivalent of receipt by the grievant, and receipt by the Superintendent's designee (executive director, employee relations) shall be the equivalent of receipt by the Superintendent. When it is not feasible to complete delivery as specified above, the form, letter, or document will be considered timely received if placed in the U.S. mail, prepaid as registered or certified mail on or before the limiting date as set out in this policy. A receipt from the post office will be required to validate the prepaid mailing of the form, letter, or document. The date of delivery recorded on the domestic return receipt will be used to determine any further time lines.</p> <p>All references to time line days are to weekdays, excluding District calendar holidays. Employees on scheduled District vacation may make prior arrangements with the Superintendent or designee for an extended time line.</p>
GRIEVANCE PROCEDURES	<ol style="list-style-type: none"> 1. Informal Conference: The grievant shall have an oral discussion regarding the grievance within ten days of the action complained with the grievant's immediate supervisor. If the grievance is resolved in the oral discussion, the

grievant shall be required to execute a statement to the effect that the particular grievance has been settled. If the matter is not resolved in the oral discussion, the grievant may move to Step 1, Submission in Writing.

If the oral discussion is not held within the ten-day time line, no action will be taken and the grievance will be considered waived.

LEVEL ONE

2. Submission in Writing: The grievant shall complete in writing a grievance form prescribed by the District. This Step 1, Standard Grievance form must be received by the immediate supervisor or designee within five days of the informal conference. It must contain the specific factual basis for the grievance. It must identify any particular policy or policies or administrative regulation or regulations involved. The immediate supervisor or designee will sign the Step 1 form immediately upon receipt and return one copy to the grievant and forward one copy to the Superintendent. If the written grievance is not timely received, no action will be taken and the grievance will be considered waived.
3. Determination of Grievable Complaint: If the immediate supervisor decides the complaint is grievable, he or she shall respond in accordance with Step 2, Immediate Supervisor's Action Regarding Grievable Complaint form.

If the immediate supervisor decides the complaint is not grievable, this decision must be received by the Superintendent and the grievant within ten days after the immediate supervisor's receipt of the Grievance Form. Before deciding that the complaint is not grievable or not timely, the immediate supervisor should first consult with the executive director of employee relations.

Any determination by an immediate supervisor that the complaint is not grievable, shall be reviewed by the Superintendent if the grievant appeals to the Superintendent, and the appeal is received by the Superintendent within five days of the decision of the immediate supervisor. If the written appeal is not timely received, no action will be taken and the grievance will be considered non-grievable.

If the Superintendent determines that the complaint is grievable, the Superintendent shall (within ten days) instruct the immediate supervisor to answer the grievance in accordance with Step 2, Immediate Supervisor's Action Regarding Grievable Complaint.

If the Superintendent decides the complaint is not grievable, the immediate supervisor and the grievant shall receive this decision within ten days after receipt of the immediate supervisor's decision.

If the grievant does not agree with the Superintendent's decision, he or she may appeal this decision to the Board. This appeal must be received by the Superintendent within five days of the grievant's receipt of the Superintendent's decision. If the written appeal is not timely received, no action will be taken and the complaint will be considered concluded.

If the Board determines that the complaint is grievable, the grievant and the immediate supervisor shall be notified in writing. The immediate supervisor shall then answer the grievance in accordance with Step 2, Immediate Supervisor's Action Regarding Grievable Complaint.

If the Board determines that the complaint is not grievable, the grievant and

the immediate supervisor shall be so notified in writing.

4. Immediate Supervisor's Action Regarding Grievable Complaint: The immediate supervisor shall respond to the grievance and shall deliver a copy of the response to the grievant and the Superintendent, within ten days of receipt of the grievance, or receipt of the Superintendent's decision, or the decision of the Board that the complaint is grievable. The prescribed form established by the District will be used. If the facts are disputed or if the grievant has additional information that was not presented at the informal conference, then the immediate supervisor shall hold a conference with the grievant and/or his or her representative prior to the filing of the response; otherwise, a conference may be held at the discretion of the immediate supervisor. If the grievant is satisfied with the response, no further action will take place. If the grievant is not satisfied, he or she may appeal.

LEVEL TWO

5. Appeal: If the grievant is not satisfied with the immediate supervisor's response or lack thereof, he or she may appeal to the Superintendent. This appeal must be in writing. It must be received by the Superintendent within five days of the decision of the immediate supervisor. If the written appeal is not timely received, no action will be taken and the grievance will be considered concluded. Any matter not expressly contained in the written grievance shall not be considered in the appeal. No new matter may be added to the grievance by the grievant after its submission to the employee's immediate supervisor.

The Superintendent shall respond in writing to the grievance in accordance with Step 3, Superintendent's Response to a Grievance or Grievance Appeal. The response will be on a form prescribed by the District. The grievant shall receive the Superintendent's response within ten days of the receipt of the appeal of the grievance. If there are no factual disputes regarding the grievance, any conference with the grievant and/or his or her representative and the immediate supervisor is discretionary with the Superintendent. Otherwise, a conference shall be held prior to the Superintendent's response.

If the grievant is satisfied with the Superintendent's decision, then no further action will take place.

LEVEL THREE

If the grievant is not satisfied, he or she may appeal the decision of the Superintendent to the Board. This appeal must be received in the Superintendent's office within five days of the Superintendent's decision. This matter will be placed on the agenda of a regular or special Board meeting within the next three regular Board meetings for grievances filed effective 90 days after the adoption of this policy. If the written appeal is not timely received, no action will be taken and the grievance will be considered concluded.

6. Superintendent May Assume Jurisdiction: At any time after the grievant's submission of the grievance form, the Superintendent may assume jurisdiction and determine the grievance. If the grievant is not satisfied with the Superintendent's decision, he or she may appeal the decision of the Superintendent to the Board. This appeal must be received by the Superintendent within five days of the decision of the Superintendent. If the written appeal is not timely received, no action will be taken and the grievance will be considered concluded.

BOARD PRESENTATION

The Superintendent shall inform the employee or the employee's representative of the date, time, and place of the meeting at least 72 hours in advance. The Superintendent

or designee shall provide the Board with copies of the employee's grievance, all responses, and any written documentation previously submitted by the employee and the administration. The Board shall not consider documentation or other evidence not previously submitted or issues not previously presented unless the grievant and Superintendent both agree. However, the Board may remand the grievance to the Superintendent if the Board determines that further factual development is needed. The proceeding before the Board shall be recorded by audiotape. The Board President may set reasonable time limits on complaint presentations.

The Board shall listen to the complaint, but is not required to respond or take any action on the matter. The lack of official action by the Board upholds the administrative decision at the Superintendent's level.

There shall be no reprisal, discrimination, retaliatory action, or adverse treatment of any employee who follows this policy in good faith.

CLOSED MEETING If the complaint involves the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the complaint, it shall be heard by the Board in closed meeting unless the employee bringing the complaint requests it to be heard in public. However, if the complaint constitutes a complaint or charge against another District employee, it shall be heard in closed meeting unless an open hearing is requested in writing by the employee against whom the complaint or charge is brought.

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DGBA (LOCAL) - X

Employee conduct and welfare

Standards of conduct

Policy [DH](#)

All employees are expected to work together in a cooperative spirit to serve the best interests of the district and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence will be cause for disciplinary action.
- Know and comply with department and district policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or

guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day the superintendent first learns of the incident.

The *Code of Ethics and Standard Practices for Texas Educators*, adopted by the State Board for Educator Certification, which all district employees must adhere to, is reprinted below:

Code of Ethics and Standard Practices for Texas Educators

Statement of Purpose

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community.

Professional Standards

1. Professional Ethical Conduct, Practices, and Performance

Standard 1.1 The educator shall not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.

Standard 1.2 The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

Standard 1.3 The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

Standard 1.4 The educator shall not use institutional or professional privileges for personal or partisan advantage.

Standard 1.5 The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents, or other persons or organizations in recognition or appreciation of service.

Standard 1.6 The educator shall not falsify records, or direct or coerce others to do so.

Standard 1.7 The educator shall comply with state regulations, written local school board policies, and other applicable state and federal laws.

Standard 1.8 The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

2. Ethical Conduct toward Professional Colleagues

Standard 2.1 The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

Standard 2.2 The educator shall not harm others by knowingly making false statements about a colleague or the school system.

Standard 2.3 The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

Standard 2.4 The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

Standard 2.5 The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, sex, disability, or family status.

Standard 2.6 The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

Standard 2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC under this chapter.

3. Ethical Conduct toward Students

Standard 3.1 The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

Standard 3.2 The educator shall not knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health, or safety.

Standard 3.3 The educator shall not deliberately or knowingly misrepresent facts regarding a student.

Standard 3.4 The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, sex, disability, national origin, religion, or family status.

Standard 3.5 The educator shall not engage in physical mistreatment of a student.

Standard 3.6 The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student.

Standard 3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any student or knowingly allow any student to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

Dress Code

Policy [DH](#)

The district observes the following dress and grooming standards:

1. Cleanliness and neatness are expected of all staff at all times.
2. Clothing for classes such as physical education, agriculture, JROTC, health-related (to include school nurses), and auto mechanics shall be reasonable and appropriate for that class but shall be confined to class time only. This may also cover special outside class activities, such as field trips.
3. Blue jeans may be worn on Spirit Day and other special occasions and during on-campus in-service. Blue jeans are also permitted for employees such as custodians, maintenance workers, bus drivers and monitors, mechanics, warehouse and shop workers, employees who work with machinery, and professionals who teach courses in auto mechanics, welding, or other industrial arts. Any color of jeans other than blue may be worn at any time as long as they are in good condition, clean, and not torn, or ragged, or threadbare.
4. Employees' clothing should not be revealing, immodest, or inappropriate.

The following definitions shall apply:

Capris are pants.

Culottes are shorts.

Skorts are considered skirts.

The following clothing may not be worn:

1. Any clothing that shows the midriff or lower back area at any time (this includes when reaching or bending);
2. Any shirts or tee-shirts with messaging other than a small commercial logo, or the name, logo, or mascot of the District, school, or department;
3. Dresses or skirts (includes skorts) shorter than three inches above the top of the kneecap;
4. Halter or bare midriff tops;
5. Leggings (tight knit pants);
6. Plunging necklines;
7. Ripped or tattered clothing;
8. Scrubs;
9. Sheer or revealing garments
10. Shorts;
11. Shower shoes or flip-flops (rubber pool shoes);
12. Skin-tight clothing;
13. Strapless or spaghetti-strap tops and dresses;
14. Sweat suits;
15. Athletic tank tops or muscle shirts;
16. Warm-ups;
17. Wind suits;
18. Military fatigues, except as required for JROTC.

Additional inappropriate items include:

1. Visible piercing other than earrings;
2. Caps or hats inside buildings, except as required by specific assignments, such as protective clothing or hard hats, or by a health code, such as head covering for employees working in kitchens.
3. Visible profane, sexually explicit, or obscene tattoos, that violate conventional standards of decency and would be offensive to a reasonable person.

A violation of the employee dress and grooming standards is to be addressed by the campus principal or appropriate department administrator. The campus principal or department administrator is authorized to send the employee home to change clothes, and may determine the necessary length of time away from the job site.

Harassment

Policy [DH](#), [DIA](#)

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons, including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action.

Employees who believe they have been harassed are encouraged to promptly report such incidents to the campus principal, supervisor, Executive Director of Employee Relations, or appropriate district official. If the campus principal or supervisor is the subject of a complaint, the employee should report the complaint directly to the Executive Director of Employee Relations.

The district's policy that includes definitions and procedures for reporting and investigating harassment can be found online at episid.org (see policy DIA).

Harassment of students

Policy [DH](#), [FFG](#), [FFH](#)

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment or abuse of a student will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting suspected child abuse*, below, for additional information. The district's policy that includes definitions and procedures for reporting and investigating harassment of students can be found online at episid.org (see policy FFH).

Drug-abuse prevention

Policy [DH](#), [DI](#)

El Paso Independent School District is committed to maintaining a drug-free environment and will not tolerate the use of illegal drugs in the workplace. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug use can be found online at www.episd.org. See policies DH (Local) and DI (Local) and (Exhibit).

Reporting suspected child abuse

Policy [DG](#), [DH](#), [FFG](#), [GRA](#)

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. This includes abuse, neglect or exploitation of any student with a disability, whether or not a minor. The school nurse can provide information on how to report abuse or you may contact the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to report suspected child abuse may result in prosecution for the commission of a Class B misdemeanor. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the Code of Ethics and Standard Practices for Texas Educators.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. Employees are not required to report their concern to the principal before making a report to the appropriate agencies. In addition, employees must cooperate with child abuse and neglect investigators. Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Fraud and financial impropriety

Policy [DG](#), [CAA](#)

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety includes, but is not limited to, the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets, including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district
- Destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the district

Ethics and Compliance Hotline

Accountability is a top priority for the El Paso Independent School District. Our policies formalize the expectations of personal honesty and integrity required of all employees. Preventing losses due to waste, fraud, or unethical acts is a critical challenge. As employees, we share a responsibility in facing this challenge. Anyone who has an issue or concern as it relates to waste, fraud, or unethical behavior, is to report it through the proper channels as specified in our policies. However, if this is not feasible, our Ethics & Compliance Hotline (800 620-8591) is provided as a communication option. *The hotline is not intended for grievances or other personal issues.* All information reported to the hotline program should be made in good faith.

Conflict of Interest

Policy [BBFA](#), [CBB](#), [DBD](#)

Employees are required to disclose to their supervisor any situation that creates a potential conflict of interest with proper discharge of assigned duties and responsibilities or creates a potential conflict of interest with the best interests of the district. This includes the following:

- A personal financial interest
- A business interest
- Any other obligation or relationship

An employee with a substantial interest in a business entity or interest in real property must disclose the interest to the district prior to the award of a contract or authorization of payment that would affect that business or property. An affidavit must be filed with the Director of Purchasing. An employee is also considered to have substantial interest if a close family member (e.g., spouse, parent, child, or spouse's parent or child) has a substantial interest.

Gifts and favors

Policy [DBD](#)

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties, or that have more than nominal intrinsic value (see Policy DBD for allowable dollar limits).

The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials, such as maps or worksheets, that convey information to students or contribute to the learning process.

Associations and political activities

Policy [DGA](#)

The district will not directly or indirectly discourage employees from participating in political events or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Safety

Policy [CK](#)

The district has developed and promotes a comprehensive accident prevention plan to ensure the safety of its employees, students, and visitors. The accident prevention plan includes guidelines and procedures for reporting and responding to accidents. The goal of the

Accident Prevention Plan is to prevent and reduce the frequency of accidents to employees, students, and visitors and to protect and conserve district equipment.

Employees should:

- Observe all safety rules.
- Keep work areas clean and orderly at all times.
- Immediately report all accidents to their supervisor.
- Operate only equipment or machines for which they have training and authorization.

Employees with questions or concerns relating to the accident prevention plan can contact the Risk Management Department at 351-5200 or online at <http://safety.episd.org/index2.php>

Tobacco use

Policy [DH](#), [GKA](#), [FNCD](#)

Smoking or using tobacco products is prohibited on all district-owned property and at school-related or school-sanctioned activities, on or off campus. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking while inside the vehicle.

Employee arrests and convictions

Policy [DH](#)

An employee who is arrested for any felony or any offense involving moral turpitude must report the arrest to the principal or immediate supervisor within three calendar days of the arrest. An employee who is convicted of or receives deferred adjudication for such an offense must also report that event to the principal or immediate supervisor within three days of the event. Moral turpitude includes, but is not limited to, the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Drug- or alcohol-related offenses
- Acts constituting abuse under the Texas Family Code

Possession of firearms and weapons

Policy [FNCG](#), [GKA](#)

Employees, visitors, and students are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisors or call Police Services, 887-6880 **immediately**.

Visitors in the workplace

Policy [GKC](#)

All visitors are expected to enter any district facility through the main entrance and sign in or report to the building's main office. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on the district premises should immediately direct him or her to the building office or contact the administrator in charge.

Copyrighted materials

Policy [EFE](#)

Employees are expected to comply with the provisions of copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Rented videotapes are to be used in the classroom for educational purposes only. Duplication or backups of computer programs and data must be made within the provisions of the purchase agreement.

Computer use and data management

Policy [CQ](#)

Access to the District's electronic communications system is a privilege, not a right. The district's electronic communications system, including network access to the Internet, is for administrative and instructional purposes. Limited personal use of the system is permitted if the use:

- Imposes no tangible cost to the district
- Does not unduly burden the district's computer or network resources
- Has no adverse effect on job performance or on a student's academic performance
- And is limited to: before or after work, during approved breaks, or during lunch

Electronic mail transmissions and other use of the electronic communications systems are not confidential, are stored indefinitely, and can be monitored at any time to ensure appropriate use.

Employees and students who are authorized to use the systems are required to abide by the provisions of the District's Non-Student Acceptable Use Agreement. Failure to do so can result in suspension or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact Technology and Information Systems Help Desk at 887-6800.

The *District's Non-Student Acceptable Use Agreement of electronic communication*, which all district employees must adhere to, is reprinted below:

EL PASO INDEPENDENT SCHOOL DISTRICT
NONSTUDENT ACCEPTABLE USE AGREEMENT FOR INTERNET ACCESS

The Internet is an electronic highway connecting thousands of computers all over the world with millions of individual subscribers. Internet access is now available to employees, students, teachers, parents, VIPs (Volunteers in Public Schools), and administrators of El Paso ISD in campus libraries and some classrooms. One of our goals is to promote educational excellence in the El Paso Independent School District by facilitating resource sharing, innovation, and communication.

Access to the District's electronic communications system, including the Internet, shall be made available to students, parents, VIPs, and employees exclusively for instructional and administrative purposes and in accordance with administrative regulations. Access to the District's electronic communications system is a privilege, not a right. Users need to be aware that the District computers are shared equipment and time limits may be imposed when people are waiting to use them.

It is expected that any person using these resources through an EPISD connection accepts and abides by the following regulations:

1. No one may allow anyone else to use his or her personal password.
2. The individual in whose name an e-mail account is registered is responsible at all times for its proper use. Attempts to read, delete, copy, or modify the electronic mail of other system users or deliberately interfering with the ability of other system users to send/receive electronic mail is prohibited. No one should represent himself or herself as someone else by using another's account or forward personal material without prior consent of the originator. Forgery or attempted forgery of electronic mail messages is prohibited.
3. No one may access text or visual depictions (any picture, image, graphic image file, or other visual depiction) that are obscene and/or harmful to minors (appeals to a prurient interest; an actual or simulated sexual act or contact; and lacks serious literary, artistic, political, or scientific value).
4. Users may not access or participate in chat rooms at any time.
5. Electronic mail transmissions and other use of the electronic communication system are not considered to be private and may be monitored at any time by designated

District staff to ensure appropriate use. Messages dealing with illegal activities may be reported to the appropriate authority.

6. For the safety and privacy of the student, no student information in any form except directory information shall be posted on the Internet without express parental permission.
7. Users must respect the integrity of computing systems and abide by existing federal and state laws regarding electronic communication. These laws can carry penalties of up to 20 years in prison. This includes, but is not limited to, accessing secure and/or confidential information without authorization, divulging passwords, causing system malfunction, developing programs that harass other users, attempting to infiltrate a computer or computing system, the uploading or creation of computer viruses, knowingly bringing prohibited materials into the school's electronic environment and accessing indecent information. Malicious attempts to harm or destroy District equipment, materials, or data and deliberate attempts to degrade or disrupt system performance may be viewed as violations of District policy and administrative regulations and, possibly, as criminal activity under applicable state and federal laws.
8. Users must respect the legal protection provided by copyright laws to computer programs, articles, graphics, and data. (See Board policies on copyright). Users shall not copy anything that belongs to someone else without rewriting it in their own words and are reminded to give credit to the owner of the information.
9. Users may not use language that is abusive (harshly or coarsely insulting, containing curse words in any language, or ethnic or racial slurs), profane (vulgar, irreverent toward God or sacred things, satanic), sexually offensive (sexual in nature, repugnant to the moral sense or good taste, sexual harassment), or threatening. Transmitting obscene messages or pictures is prohibited. Violators will be subject to loss of privileges on the District system, disciplinary action in accordance with District policies and/or may be reported to the proper authorities.
10. Any expenses incurred as a result of Internet use is the responsibility of the user.
11. Access to the Internet is considered a privilege. Users should not waste school resources through improper use of the computer system. Anyone found using access in a way deemed inappropriate will be denied privileges. Noncompliance with applicable regulations may result in suspension or termination of privileges and other disciplinary action consistent with Board policy.

EL PASO INDEPENDENT SCHOOL DISTRICT
NONSTUDENT ACCEPTABLE USE AGREEMENT FOR INTERNET ACCESS

I understand and will abide by the El Paso ISD Acceptable Use Agreement for Internet Use. In return for the privilege of having access to the Internet through an EPISD connection, I hereby release the District, its operators, and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use of or inability to use the system, including, without limitation, the type of damages identified in this document or the District's policy and administrative regulations. I further understand that any violation of the regulation is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, disciplinary action may be taken and/or appropriate legal action.

YOUR ACCEPTANCE OF EITHER FORMAT OF THE EMPLOYEE HANDBOOK, WHETHER ELECTRONIC OR HARD COPY, IS ALSO YOUR AGREEMENT TO THE TERMS STIPULATED IN THIS SECTION.

Asbestos management plan

Policy [CKA](#)

The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan and updated 3-year re-inspection reports for each piece of district property. Copies of the district's management plan and re-inspection reports are kept in the Facilities, Maintenance and Construction office and are available for inspection during normal business hours.

Pest control treatment

Policy [DI](#), [CLB](#)

Employees are prohibited from applying any pesticide or herbicide on district property. Any application of pesticide must be coordinated through the Integrated Pest Manager (IPM) as required by Board Policy, State/Federal Law, and the district's integrated pest management program.

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Pest control information sheets are available from campus principals or facility managers upon request.

General procedures

Bad weather closing

Policy [CKC](#)

The district may close schools because of bad weather or emergency conditions. When such conditions exist, the superintendent will make the official decision concerning the closing of

the district's facilities. When it becomes necessary to close schools, open late, or release students early, all local radio and television stations will be notified by school officials. This information will also be posted on the district's website (www.episd.org).

Emergencies

Policy [CKC](#)

All employees should be familiar with the evacuation diagrams posted in their work areas. Fire, tornado, and other emergency drills will be conducted to familiarize employees and students with evacuation procedures. Fire extinguishers are located throughout all district buildings. Employees should know the location of the extinguishers nearest their place of work and how to use them.

Each Campus has a written crisis management plan. You must familiarize yourself with this plan.

Purchasing procedures

Policy [CH](#)

No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact the Purchasing Department (759-2702) for additional information on purchasing procedures.

Name and address changes

It is important that employment records be kept up to date. Employees should review their demographic information periodically on "my.episd" on the district website. It is the employee's responsibility to keep their address and phone number current by making the appropriate changes on the website. All employees must have a street address on file. Name changes require the employee to come to Human Resources and present proper documentation for a name change. Forms for the name change can be completed in Human Resources.

Personnel records

Policy [GBA](#)

Most district records, including personnel records, are public information and must be released upon request. Employees may choose to have the following personal information withheld:

- Home Address
- Home Phone number
- Social Security number
- Information that reveals whether they have family members

The choice to secure or not secure information is included in the district employee directory on the website at “my.episd”. New or terminating employees have 14 days after hire or termination to submit elections in writing. The choice regarding public access to this information may be changed at anytime. Forms are available in Human Resources. If you do not protect this information, this information can be released to the public.

Termination of employment

Resignations

Policy [DFE](#)

Contract employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to:

Professional Staff	Associate Superintendent for Human Resources
Elementary Teachers	Director Elementary Personnel
Secondary Teachers	Director Secondary Personnel

Resignation during the term of the contract, without the consent of the Board of Trustees, Superintendent or designee may result in disciplinary action by the State Board for Educator Certification (SBEC).

The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in Reports to the State Board for Educator Certification, on page 53.

Non-contract employees. Non-contract employees may resign their positions at any time. A written notice of resignation should be submitted to:

Support Personnel	Director Support Personnel
Clerical/Secretarial Personnel	Executive Director Personnel Administration
Elementary Paraprofessionals	Director Elementary Personnel
Secondary Paraprofessionals	Director Secondary Personnel

The notice of resignation should be received at least two weeks prior to the effective date. Employees are encouraged to include the reason for leaving in the letter of resignation but are not required to do so.

Dismissal or non-renewal of contract employees

Policy [DFAA](#), [DFAB](#), [DFBA](#), [DFBB](#), [DFCA](#), [DFD](#), [DFE](#)

Employees on probationary, term, and continuing contracts can be dismissed during the school year or non-renewed at the end of the year according to the procedures outlined in district policies. Contract employees dismissed during the school year, suspended without

pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The time lines and procedures to be followed when a suspension, termination, or non-renewal occurs will be provided when a written notice is given to an employee, and can be found in the DF series policies that are provided on the district website (episd.org). These notice and hearing requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification, or an employee whose certification is revoked.

Dismissal of non-contract employees

Policy [DCD](#)

Non-contract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, religion, sex, national origin, disability, military status, age, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in Board Policy DGBA. (See *Complaints and grievances*, page 34.)

Exit interviews and procedures

Policy [DC](#)

Exit interviews are conducted for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience.

All district keys, books, property, and equipment must be returned upon separation from employment.

Final paychecks may be picked up in Human Resources until 3:00 pm on the pay date. At 3:00 pm, all checks not picked up will be mailed to the address on file.

Any employee that has not returned district items will be required to report to Human Resources to receive their final check. The check will NOT be mailed.

Reports to TEA - Educator Certification

Policy [DF](#), [DFE](#)

The Superintendent will make a report to SBEC when an educator resigns and reasonable evidence exists to support a determination, or an educator is terminated based on a determination, that the educator engaged in any of the following:

- Any form of sexual or physical abuse of a minor or any other illegal conduct with a student or a minor
- The possession, transfer, sale, or distribution of a controlled substance

- The illegal transfer, appropriation, or expenditure of school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position
- Committing a crime, or any part of a crime, on school property or at a school-sponsored event

Reports Concerning Court-Ordered Withholding

The district is required to report the employment termination of employees that are under court order or writ of withholding for child support or spousal maintenance to the court and the individual receiving the support (Texas Family Code §8.210, §158.211). Notice of the following must be sent to the court and support recipient:

- Termination of employment not later than the seventh day after the date of termination
- Employee's last known address
- Name and address of the employee's new employer, if known

Student issues

Equal educational opportunities

Policy [FB](#)

The El Paso Independent School District does not discriminate on the basis of race, color, religion, national origin, sex, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Student records

Policy [FL](#)

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records, both electronic and physical.

Administering medication to students

Policy [FFAC](#)

Only designated employees can administer medication to students. A student who must take prescription or over-the-counter medication during the school day must bring a written request from his or her parent and the medicine, in its original, properly labeled container.

Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

Dietary supplements

Policy [DH](#), [FFAC](#)

District employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her school district duties. In addition, employees may not knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

Psychotropic drugs

Policy [FFAC](#)

District employees are prohibited by state law from doing the following:

- Recommending that a student use a psychotropic drug
- Suggesting a particular diagnosis
- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student

Student discipline

Policy [FN](#), [FO](#)

Students are expected to follow the classroom rules, campus rules, and rules listed in the Student Code of Conduct. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by the district. Other employees that have concerns about a particular student's conduct should contact the campus administrator.

Student attendance

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting.

Hazing

Policy [FNCC](#), [FO](#)

Any type of hazing is prohibited. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, or who has reason to know or suspect that a student intends to engage, or has engaged in hazing, must report that fact or suspicion to the designated campus discipline person.

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