

**Austin Independent School District**  
**EMPLOYEE HANDBOOK**  
**Issued May 2012**  
**(Revised 09/20/2016)**

**Preface**

Austin 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. The District also does not discriminate in providing education or providing access to the benefits of educational services, activities, and programs, including career and technology education programs, in accordance with Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Age Discrimination Act of 1975 (34 CFR Part 110); Section 504 of the Rehabilitation Act of 1973, as amended; Title II of the Americans with Disabilities Act of 1990; and local Board policies. The Executive Director for Human Resources coordinates compliance with the legal requirements above, with the exception of the Director for Special Education and the Administrative Supervisor for Section 504 who coordinate compliance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) and Section 504 (Student Issues) of the Rehabilitation Act of 1973, respectively. The General Counsel's Office coordinates compliance with the provisions of Title IX of the Education Amendments of 1972.

AISD will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. An employee with a disability requiring reasonable accommodation(s) should begin the interactive process by contacting the ADA/Section 504 Coordinator at 414-1481 (for certified employees) or 414-9934 (for classified employees). The form to request reasonable accommodations is available on the District's Cloud. Click on the AISD Web button on the Cloud. You may need to sign in again. Look for Human Resources "online library" link on the left side of the screen. Open the folder "4 Employee Relations Forms." The ADA accommodation request form is at the top of the list.

# District Vision, Mission, Values, and Goals



## Strategic Plan Framework 2015-2020

### Vision

The Austin ISD will reinvent the urban school experience.

### Marketing Slogan

AISD: Reinventing the urban school experience together.

### Core Beliefs

1. All students will graduate college-, career- and life-ready.

As part of this, we commit ourselves to:

- A. Achieve excellence by delivering a high-quality education to every student
- B. Implement the transformative use of technology
- C. Ensure all students perform at or above grade level in math and reading
- D. Prepare all students to graduate on-time
- E. Develop civically-engaged students

2. We will create an effective, agile, and responsive organization.

As part of this, we commit ourselves to:

- A. Create a positive organizational culture that values customer service and every employee
- B. Develop effective organizational structures
- C. Generate, leverage, and utilize strategically all resources

3. We will create vibrant relationships critical for successful students and schools.

As part of this, we commit ourselves to:

- A. Engage authentically with students, parents/guardians, teachers, and community
- B. Build ownership in the AISD among internal and external stakeholders
- C. Develop and maintain community partnerships

### Values

- Whole Child Every Child
- Physical, social and emotional health, and safety
- Equity, diversity and inclusion
- High expectations for all students, employees, parents/guardians, and community members
- Creativity, collaboration, and innovation
- Community Schools
- Life-long learning

*Approved by the Board of Trustees, 06/22/2015*

## Welcome to the District

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Welcome to the Austin Independent School District, a dynamic and creative environment where every employee makes a difference for children. We are dedicated to the AISD mission that all students will progress academically and intellectually, and will graduate prepared for personal success and inspired to contribute to society. You will see devotion to that purpose reflected throughout this document and in our daily activities.

Please call your supervisor or the AISD Office of Human Resources for help when you need it. Best wishes in your exciting and rewarding career with the Austin Independent School District.

### About This Handbook

This handbook was prepared by the Office of Human Resources. Information about the District, how it is organized, District goals and who to call with questions on a wide variety of topics is provided for your use. Issues too broad to be addressed here are referenced with available sources for detailed information.

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. Some of those included have been summarized. Suggestions for additions and improvements to this handbook are welcome. Contact the AISD Office of Human Resources.

This handbook is neither a contract nor a substitute for the official district policy manual. It is not intended to alter the status of at-will employees in any way. Rather, it is a guide to, and a brief explanation of, district policies related to employment. District policies and procedures may change at any time. These changes shall supersede any handbook provisions that are not compatible with the change. 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. AISD policies may be accessed on the Internet at [AISD Board Policies](#).

Also, to access the AISD internet home page, click on this link: [AISD home page](#)

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# Board of Trustees



The Board of Trustees of the Austin Independent School District is the governing body of the school district. These nine elected volunteers serve without pay during their four-year terms of office. The main functions of the School Board include setting policies, adopting the school district budget, setting a tax rate, hiring a superintendent, and general governance of the district.

The AISD Board includes seven members elected from single member districts and two members who are elected at large by all voters in the school district. After each election, the Board members elect their own officers.

The Board of Trustees' districts are:

- **At Large** (District-wide)
- **At Large** (District-wide)
- **District 1** is roughly defined as northeast Austin.
- **District 2** is mostly east and southeast Austin.
- **District 3** is defined as north central Austin.
- **District 4** is considered the northwest part of Austin.
- **District 5** is basically west central Austin.
- **District 6** is defined as south central Austin.
- **District 7** is the southwest portion of Austin.

## Responsibilities of Leadership

Guiding the Austin Independent School District towards excellence is the nine-member Board of Trustees. As the district's elected leaders, Trustees represent community expectations as they chart the direction of educational programs and services and establish results policies and standards by which success is measured.

Responsibilities of the Board also include establishing policies for operation of the district and for ensuring its financial viability. Trustees employ the superintendent, approve the budget and monitor expenditures, set the tax rate, and may call for a bond election.

A complete Set of Board Governance policies as well as information related to Board meetings and Agendas can be found on the AISD web at [www.austinsd.org](http://www.austinsd.org).

## Board Service

Members are elected to a four-year term of office. On a rotating basis, Board seats are filled during bi-annual elections held on the 1st Tuesday in November. Vacancies are filled by appointment or special election until the next election. Candidates to the Board of Trustees must conform to the eligibility requirements of the Texas Election Code.

## Welcome to a Meeting of the Board

All meetings of the Board of Trustees are open to the public, except for Closed Sessions, also called Executive Sessions, discussed in more detail below. The Board of Trustees holds official meetings every month except July.

The Board Auditorium is located in the Carruth Administration Center, 1111 West Sixth St. With public notice, Trustees also hold special meetings and work sessions as needed. A majority of the Board constitutes a quorum for the transaction of business. All public meetings are cablecast live on AISD Cable Channel 22 and are periodically re-cablecast. Board meetings may also be viewed online via web cast on the AISD website, [www.austinsd.org](http://www.austinsd.org).

As established by the Texas Open Meetings Act, parts of Board meetings may be closed to the public such as consideration of real estate transactions, personnel matters, student hearings, and legal matters.

## District Communications



### Regular Meetings

The AISD Board of Trustees usually takes action during Regular Meetings, which requires “Public Comment” to be scheduled on the agendas. Regular Meetings usually occur on the fourth Monday of each month beginning at 7pm.

### Closed Sessions (Often Referred to as Executive Sessions)

Texas law allows the Board to enter into a closed session during a public meeting under certain specific circumstances. Generally, these statutory exceptions relate to the deliberation of matters for which confidentiality protects the privacy of individuals or the interests of the District. The public is excluded from closed sessions of the Board. The Board may hold closed sessions during any scheduled meeting where needed, legally permissible, and properly posted. Closed Sessions typically, though not exclusively, occur during Board Dialogue meetings. These meetings must be called in compliance with Chapter 551 of the Texas Government Code.

### Internet

The Austin ISD website is [www.austinisd.org](http://www.austinisd.org). The website provides access to the school calendars, current announcements, district and campus information, job postings, School Board policies, and other relevant information.

District employees have access to an electronic mail system.

### Computer Use and Data Management

The district’s electronic communications system, including its network access to the Internet, is primarily for administrative and instructional purposes, not personal businesses, stalking of others, gambling, on-line shopping, for criminal activity, or pornographic viewings.

District employees have access to an electronic mail system. Electronic mail transmissions and other use of the electronic communications systems are not confidential and can be monitored at any time to ensure appropriate use. Therefore, employees are strongly advised not to place personal, financial, legal, health history, family difficulty, or sexual activity information on any District computer you access or are assigned to. Additionally, employees are not authorized to place unauthorized or unapproved software on District computers.

Employees and students who are authorized to use the systems are required to abide by the provisions of the district’s communications systems policy and administrative procedures. Failure to do so can result in suspension or termination of privileges and may lead to disciplinary action. Go to this link and select Policy CQ(**LOCAL**): [Policy CQ](#)

### District Mail Services

Thousands of pieces of mail are received and delivered daily by AISD Mail Serviced located at CAC. Incoming envelopes and packages from US Mail, Federal Express, and United Parcel Service (UPS); campus-to-campus deliveries; campus-to –CAC deliveries; and outgoing U.S. Mail are services provided. An increasing number of items are delayed because of inadequate address labels.

Employees can avoid delays if they will follow these simple guidelines:

1. Campus-to-CAC/Baker mail needs to be addressed to an organization listed on the currently published organization chart. Be sure to include the CAC Post Office box number for the department and the suite number. Items that only have a person’s name may be delayed or returned to sender.
2. U.S. Mail is scanned by optical character recognition (OCR) devices to sort the mail by destination and delivery carrier. OCR devices generally read only the bottom two lines of the address. To improve OCR success rates, please use capital letters and no punctuation marks in the bottom two lines of an address
3. Campus-to-campus mail needs to have the school number and school name clearly listed.
4. It is not appropriate for employees to use AISD facilities, postage or supplies for their personal mail.

## District Advisory Bodies



Policy BDF (LOCAL) was adopted by the Board of Trustees in June 2011 to provide a systematic approach to and centralized coordination of all district advisory bodies. This policy requires that all district advisory bodies have open meetings and websites with standard content, including meeting schedules, agendas, minutes, and membership rosters. In addition, the policy requires that all standing district advisory bodies have bylaws and that all ad hoc (temporary) district advisory bodies have charters, based on standard templates. The policy also establishes a biennial sunset review for all district advisory bodies not required by state law. A Coordinator of District Advisory Bodies is created to oversee implementation of the policy. Go to this link and select BDF (**LOCAL**): [Policy BDF](#)

An umbrella website for all district advisory bodies may be found at: [Advisory Bodies](#)

This umbrella website includes links to individual websites for each advisory body, a standard membership application form, guidelines for citizen's communications and visitors, and additional information. At this time, following are standing advisory bodies of the district:

- Boundary Advisory Committee
- Budget and Finance Advisory Committee
- Campus Advisory Councils
- Career and Technology Education Advisory Committee
- Community Bond Oversight Committee
- District Advisory Council
- English Language Learner Advisory Committee
- School Health Advisory Council
- Special Education Advisory Committee
- Strategic Compensation Steering Committee

The Calendar Task Force and Citizens Bond Advisory Committee are formed periodically as needed. Other ad hoc advisory bodies that have served recently include the Capital Investment and Bond Planning Advisory Committee, Performing Arts Center Task Force, Facility Master Plan Task Force, Community Committee on Neighborhoods and Schools, and Strategic Plan Task Force.

# Calendar and Work Schedule Days



## Calendar

The Austin ISD calendar is distributed to employees and the public annually. Holidays may vary from year to year. The calendar includes days for instructional preparation. Refer to the approved district calendar for school holidays at the following website: [www.austinisd.org](http://www.austinisd.org).

## Work Schedules

**Professional Employees** Professional and administrative employees are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the school holiday schedule and the work schedule for teachers and other employees. Notice of work schedules including required days of service and scheduled holidays will be distributed each school year.

Classroom teachers will have planning periods for instructional preparation, including 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. The district may require teachers to supervise students during lunch one day a week when no other personnel are available.

## Classified and At-Will 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. These employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

## Length of Instructional Day

The AISD bell schedule for all students changed for the 2016-17 school year. This was due to a new state law which changed how the instructional day is measured. In April 2016, AISD conducted a survey to learn how families and teachers would prefer the change to be implemented. Based on this feedback, the elementary school day was extended, which affected transportation schedules as well as the instructional day for middle and high school students.

Some schools have extended the school day or adjusted hours for various reasons. To find the exact hours of operation, contact the school in question.

Generally, the school day for students is as follows:

Elementary	7:45 a.m. to 2:57 p.m.
Middle School	8:25 a.m. to 3:40 p.m.
High School	9:00 a.m. to 4:30 p.m.

Generally, duty hours for teachers are as follows:

Elementary	7:30 a.m. to 3:30 p.m.
Middle School	8:00 a.m. to 4:00 p.m.
High School	8:40 a.m. to 4:40 p.m.

Duty hours for clerical staff, counselors, and administration are as follows:

Elementary	7:30 a.m. to 4:30 p.m.
Middle School	7:30 a.m. to 4:30 p.m.
High School	7:45 a.m. to 4:45 p.m.

Duty hours for Carruth Administration Center employees are 7:45 a.m. to 4:45 p.m.

# Employee Conduct



## Introduction

Employees, as well as students and volunteers who work in AISD, are expected to maintain high standards of conduct and behavior.

A core value of the Austin Independent School District is respect for the individual. It is a goal of the district to foster and model this core value. AISD believes that a valuable element of education is the development of respect for all individuals, regardless of race, color, creed, national origin, age, gender, sexual orientation, disability, or other personal attributes.

This policy establishes a district-wide code of conduct intended to provide a safe educational and work environment. No person shall engage in any verbal or physical conduct which would tend to cause disruption of the educational setting, school activity, or work environment, or would harass, threaten, attack, injure, or intimidate any other person.

## Employee Standards of Conduct

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 regularly and in accordance with the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Comply with directives and expectations of their immediate supervisor with regard to reporting absences. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action up to and including termination of employment.
- 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. When an employee's performance presents a concern, the supervisor is expected to provide corrective feedback and take disciplinary action as appropriate. Corrective actions should be designed to inform the employee of a problem and allow opportunity for the employee to demonstrate improvement. Actions include, but are not limited to, verbal warnings, written warnings, memoranda of concern, corrective discipline forms (if applicable), written directives and formal written evaluations or PDAS appraisals.

Disciplinary action, including the immediate physical removal of an employee from his or her work site, will follow thoughtful consideration of an employee's violation or misbehavior and its impact on the School/District. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent first learns of the incident. Other incidents requiring reporting include:

- 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 a 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 on school property or at a school-sponsored event.
- Violating assessment instrument security procedures.

# Employee Conduct



## **Criminal History**

Austin ISD will conduct background and criminal history checks in compliance with Senate Bill 9 prior to employment and reserves the right to randomly request criminal history reports throughout the employment period. All employees certified through the State Board for Educator Certification (SBEC) must have a national background check, regardless of hire date, effective January 1, 2008. All non-certified employees with a hire date of January 1, 2008 or after must have a national background check prior to employment.

Title 19 of the Texas Administrative Code, Section 249.14 requires school districts to notify SBEC of any reported criminal history of a school district or employee who holds a Texas Teacher Certificate or Texas Educational Aide Certificate. A reported criminal history includes arrests, indictments, prosecutions, convictions, or other dispositions (such as probation, or deferred adjudication) by the criminal justice system.

## **Courtesy**

Employees shall be courteous to one another as well as students, parents and the public, working together in a cooperative spirit to serve the best interests of the students. All District employees shall be expected to adhere to the District's "Standards of Customer Service" and the standards of conduct set out in the "Code of Ethics and Standard Practices for Texas Educators" below:

### **Standards of Customer Service**

The Austin Independent School District believes that a major component of ensuring high student achievement is establishing a learning environment into which visitors feel welcomed and valued. When you—as a parent, visitor, school partner, or employee—interact with an Austin ISD staff member, you can expect our very best in:

### **Courtesy and Respect**

- All customers will be treated with respect and dignity, regardless of cultural or ethnic identities.
- Staff will be courteous during all customer interactions.
- Staff will maintain the confidentiality and privacy of students and their families.
- Staff will communicate in a courteous and respectful manner.

### **Communication**

- Staff members will acknowledge and greet customers immediately upon their entrance into district facilities. If serving another customer at the time, politely ask if he or she would mind waiting until you have finished assisting the customer you are currently with.
- Each staff member will answer the telephone within three rings, and in a friendly manner, using the name of the facility and the staff member's name. For example, "Lamar Middle School. This is John Smith. How may I help you?"
- Each staff member will ensure that information provided to customers is accurate and consistent.
- Each staff member will utilize active listening techniques in all customer interactions.
- When a staff member is out of the office for more than one business day, voicemail and email features will be activated to provide message options and information regarding the employee's return.

### **Responsiveness**

- Each staff member will personally assume the responsibility for assisting or directing customers to the appropriate person or department.
- Responses will be timely. Staff members will return phone calls within 24 hours and emails within two business days. If a response cannot be provided within the allotted time, the customer will be notified and given an estimated time of response.
- If a staff member notices that a customer speaks a language other than English, a bilingual staff member will be located and asked to assist the customer.

# Employee Conduct



## Environment

- Each staff member is responsible for creating an inviting, family-friendly environment in all district facilities.
- Staff members should wear their identification badges at all times.
- All facilities will be easy to navigate and signage will be visible and understandable.
- All facilities will post their office hours.
- All signage will be written in a positive manner or tone.
- All communications will be updated regularly.

## Code of Ethics / Standard Practices for Texas Educators

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.

### I. Professional Ethical Conduct, Practices and Performance

The Texas educator shall maintain the dignity of the profession by respecting and obeying the law, demonstrating personal integrity, and exemplifying honesty.

Standard 1.1 The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the District, educational institution, educational preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

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 of students, 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 Board policies, and other 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.

Standard 1.9 The educator shall not make threats of violence against District employees, Board members, students, or parents of students.

Standard 1.10 The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

Standard 1.11 The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

## Employee Conduct



Standard 1.12 The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.

Standard 1.13 The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

### II. 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, gender, disability, family status, or sexual orientation.

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 or who provides information for a disciplinary investigation or proceeding under this chapter.

### III. 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 intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

Standard 3.3 The educator shall not intentionally, knowingly or recklessly 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, gender, disability, national origin, religion, family status, or sexual orientation.

Standard 3.5 The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

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 person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

Standard 3.8 The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonable prudent educator standard.



## Employee Conduct



Standard 3.9 The educator shall refrain from inappropriate communication with a student or minor, including electronic communication such as cell phone, text messaging, e-mail, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include but are not limited to:

- a. The nature, purpose, timing, and amount of the communication;
- b. The subject matter of the communication;
- c. Whether the communication was made openly or the educator attempted to conceal the communication;
- d. Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- e. Whether the communication was sexually explicit; and
- f. Whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

### Safety Requirements

All employees shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

### Tobacco Use

Employees shall not use tobacco products, including electronic cigarettes (e-cigarettes), electronic vaping devices, personal vaporizers (PV), or electronic nicotine delivery systems on District premises, or at school-related or school-sanctioned activities, in District vehicles, or in the presence of students at school or school-related activities.

Go to this link and select DH (**LOCAL**): [Policy DH](#). Go to this link and select GKA (**LEGAL**): [Policy GKA](#)

### Alcohol and Drugs

AISD is committed to maintaining an alcohol and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the work place and at school-related or school sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs during working hours may be dismissed.

More specifically, employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

- Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
- Alcohol or any alcoholic beverage.
- Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
- Any other intoxicant or mood-changing, mind-altering, or behavior-altering drugs.

An employee need not be legally intoxicated to be considered “under the influence” of a controlled substance.

An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employee’s use shall not be considered to have violated this policy.

Go to this link and select DH (**LOCAL**): [Policy DH](#)

## Employee Conduct



### Drug-Free Workplace Requirements

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace. 41 U.S.C. 702(a) (1) (A); 28 TAC 169.2

The District shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the District's policy of maintaining a drug-free work-place, any available drug counseling, rehabilitation, and employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations. 41 U.S.C. 702(a) (1) (B); 28 TAC 169.2

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include mandatory referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution. (See policies at DH and DHE, 41 U.S.C. 702(a) (1) (B); 28 TAC 169.2.)

Go to this link and select Policy DH(**LOCAL**): [Policy DH](#) Go to this link and select Policy DHE(**LOCAL**): [Policy DHE](#)

Compliance with these requirements and prohibitions is mandatory and a condition of employment. As a further condition of employment, an employee shall notify the Office of Employee Relations in writing of any conviction of a criminal drug statute occurring in the workplace no later than three (3) days after such conviction.

Within 30 calendar days of receiving notice from an employee of a conviction for any drug statute violation occurring in the workplace, the District shall either (1) take appropriate personnel action against the employee, up to and including termination of employment, or (2) require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. 41 U.S.C. 703

{This notice complies with notice requirements imposed by the Federal Drug-Free Workplace Act (41 U.S.C. 702) and notice requirements imposed by the Texas Workers' Compensation Commission rules at 28 TAC 169.21}. Go to this link and select DI (**EXHIBIT**): [Policy DI](#)

### Possession of Firearms and Weapons Policies 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 supervisor or call 911 immediately.

### Searches and Alcohol and Drug Testing

Non-investigatory 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. The district may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on District premises or worksites used in District business. Go to this link and select Policy DHE(**LOCAL**): [Policy DHE](#)

Any employee 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. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements when their duties include driving.

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.

# Employee Conduct



## Arrests and Convictions

An employee must notify the Office of Employee Relations within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, any offense involving moral turpitude, and any of the other offenses listed below:

- Crimes involving school property or funds.
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator.
- Crimes that occur wholly or in part of school property or at a school-sponsored activity.
- Crimes involving moral turpitude.

Moral turpitude includes but is not limited to 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; or acts constituting abuse under the Texas Family Code.

## Dress Code

Employees shall act as role models by exemplifying the highest standard of professional appearance for the educational purposes of teaching community values and proper grooming and hygiene.

## Staff: General Guidelines

The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with the following standards as well as any additional standards established by his/her supervisor and approved by the Superintendent:

1. Dresses and all outer garments shall fit properly and be of an acceptable length.
2. Halters, tank tops, see-through garments, or clothing with revealing, provocative necklines, bare backs, bare midriff, or spaghetti straps shall not be permitted. In addition, clothing with symbols, phrases, or slogans advertising tobacco, alcohol products, or any controlled substances are unacceptable.
3. If shirttails are made to be worn tucked in, they must be tucked in. If shirttails are worn in, and pants are designed to be worn with a belt, a belt or suspenders shall be worn.
4. No hats, caps or any other head coverings shall be worn inside the building.
5. Hair shall be clean, neatly trimmed, and well-groomed.
6. Beards and mustaches shall be allowed if they are neatly trimmed.
7. Footwear shall exclude flip-flops and slippers.
8. Clothing that reveals undergarments shall not be worn.
9. Hemlines for skirts and dresses should be long enough not to be distracting.
10. Shorts, leggings, warm-ups, spandex or similar tight pants, exercise clothes, or any garment that may appear to be an undergarment are unacceptable.
11. Jeans may be worn on days designated by the principal or supervisor, designated spirit days, and teacher in-service days.
12. All administrative staff are expected to dress in a professional manner. Male administrative staff are encouraged to wear shirts and ties.
13. Male instructional staff shall be expected to wear slacks and collared shirts or other appropriate professional attire. Ties are encouraged and may be required by the principal. Acceptable alternatives for shirt and tie are shirt and pullover sweater or turtleneck sweater and sport coat.
14. Jewelry shall not be worn in a visible pierced area other than the ear.

## Exceptions to Guidelines

The following exceptions apply to these guidelines:

1. Physical education staff may choose to wear appropriate attire, approved by the administration, during the physical education instructional period.
2. Instructors in shop courses may wear aprons, smocks, or overalls during the instructional period.
3. Auxiliary employees in maintenance, custodial, transportation, food service, and positions requiring uniforms are exempted from the general guidelines but shall comply with dress and grooming guidelines specified by their supervisors in the handbooks for those positions.

# Employee Conduct



Exceptions to these general guidelines are to be made as necessary to allow staff to observe religious customs or beliefs and as necessary to accommodate medical needs. Go to this link and select Policy DH(**LOCAL**): [Policy DH](#)

## Harassment Policies

### DIA

The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, sexual orientation, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, gender, sexual orientation, national origin, age, disability or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, need for workplace accommodations, threatening or intimidating conduct, offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

### Sexual Harassment

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

Examples of sexual harassment may include sexual advances, touching intimate body parts, coercing or forcing a sexual act on another, a series or pattern of jokes or conversations of a sexual nature, or other sexually motivated conduct, communication, or contact that creates a hostile work environment.

### Retaliation

The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluation, unjustified negative references, or increased surveillance.

### Prohibited Conduct

The term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

### Reporting Procedures

An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal. Alternatively, the employee may report the alleged acts to one of the District officials below:

## Employee Conduct



Title IX Coordinator: Reports of discrimination based on sex, including sexual harassment and sexual assault, may be directed to the Title IX Coordinator. The District designated the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Ylise Jansen  
Position: General Counsel and Title IX Coordinator  
Address: 1111 West 6<sup>th</sup> Street, Austin, TX 78703  
Telephone: 512-414-3974

ADA/Section 504 Coordinator; Reports of discrimination based on disability may be directed to the ADA/Section 504 Coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Naomi Tafoya  
Position: Employee Relations Coordinator  
Address: 1111 West 6<sup>th</sup> Street, Austin, TX 78703  
Telephone: 512-414-9934

Superintendent: The Superintendent will serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

An employee will not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX Coordinator or ADA/Section 504 Coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board, the Board will appoint an appropriate person to conduct an investigation.

Reports of prohibited conduct will be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.

Any District supervisor who receives a report of prohibited conduct will immediately notify the appropriate District official listed above and take any further steps required by this policy.

### **The Investigation of the Report**

The District may request, but will not insist upon, a written report from the complainant. If a report is made orally, the District official will reduce the report to written form. Upon receipt or notice of a report, the District official will determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official will immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the District will promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor will be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The complainant and individual against whom the report is filed may each provide witness statements or potential witness names for consideration or other evidence as appropriate. The investigation may also include analysis of other information or documents related to the allegations. The evidence compiled during the investigation will be reviewed using a preponderance of the evidence standard in making a determination of whether prohibited conduct occurred.

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator will take additional time if necessary to complete a thorough investigation.

## Employee Conduct



The investigator will prepare a written report of the investigation. The report will include a determination of whether prohibited conduct or bullying occurred. The report will be filed with the District official overseeing the investigation. Written notification of the findings will be provided to the complainant and the person against whom the report was filed.

If the results of an investigation indicate that prohibited conduct occurred, the District will promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct. Should any employment action be taken, the range could include everything from a verbal warning up to and including termination.

### **Appeal**

A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA (LOCAL), beginning at the appropriate level.

The complainant may have the right to file a complaint with appropriate state or federal agencies.

In addition to trainings, emails, website links, and employee or departmental handbooks, copies of the policy will be readily available at each campus and the District administrative offices.

An employee who believes that he or she has experienced prohibited harassment should immediately report the alleged acts to an appropriate person designated below.

Any District employee with supervisory authority who receives notice that another employee has or may have experienced prohibited harassment is required to immediately report the alleged acts and take whatever other steps are required by this policy.

Any other person who knows or believes that a District employee has experienced harassment should immediately report the alleged acts to the appropriate person designated by this policy.

### **Reporting Harassment**

Reports of harassment shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment.

A District employee may report harassment to his or her supervisor or campus principal. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting harassment directly to one of the District's officials below:

1. For sexual harassment, between employees, the Title VII Coordinator, Coordinator for Employee Relations at 414-1481.
2. For sexual harassment of students, the Title IX Coordinator at 414-1706.
3. For all other prohibited harassment, the Superintendent's designee (Employee Relations) at 414-1431.

A report against the Title IX coordinator may be made directly to the Superintendent; a report against the Superintendent may be made directly to the Board.

Upon receipt of a report of harassment, a supervisor or principal shall immediately notify the appropriate District official listed above.

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

Upon receipt of notification of a report, the District official shall determine whether the allegations, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy. If so, the

## Employee Conduct



District official shall immediately authorize or undertake an investigation.

If appropriate, the District shall promptly take interim action to prevent harassment during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

The District's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending.

Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

If the results of an investigation indicate that prohibited harassment occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the harassment.

The District may take disciplinary action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of harassment prohibited by law or District policy.

### **Appeal**

A complainant who is dissatisfied with the outcome of the investigation may appeal through Policy DGBA, beginning at the appropriate level. Go to this link [Policy DGBA](#) and select DGBA (**LOCAL**).

The complainant shall be informed of his or her right to file a complaint with the Texas Workforce Commission Civil Rights Division, the Equal Employment Opportunity Commission, or the United States Department of Education Office for Civil Rights.

### **Retaliation Prohibited**

Retaliation against an employee alleged to have experienced harassment, a witness, or another person who makes a report or participates in an investigation is strictly prohibited. A person who makes a good faith report of prohibited harassment shall not suffer retaliation for making the report. A person who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding prohibited harassment is subject to appropriate discipline.

### **Harassment of Students**

#### **Policies DH, FFG, FFH**

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. 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.

The District's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below: Go to this link and select FFH (**LOCAL**): [Policy FFH](#)

## Employee Conduct



The District prohibits sexual harassment, dating violence, and harassment based on a person's race, color, gender, gender identity, gender expression, sexual orientation, national origin, disability, or religion.

Employees shall not tolerate harassment of students and shall make reports as required at REPORTING PROCEDURES, below.

### Sexual Harassment by an Employee

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
  - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
  - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual, and is subject to criminal prosecution.

### Sexual Harassment by Others

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

Examples of sexual harassment of a student may include, but are not limited to, sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

### Dating Violence by Students

Dating violence occurs when one person in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person.

Examples of dating violence against a student include, but are not limited to, physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the victim ends the relationship, attempts to isolate the student from friends and family, extreme jealousy and possessive behavior, stalking or encouraging others to engage in these behaviors.



## Employee Conduct



Examples of patterns of behavior intended to hurt or control a partner in a dating relationship include, but are not limited to, physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the victim ends the relationship, attempts to isolate the student from friends—and family, extreme jealousy and possessive behavior, stalking or having others do these things.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

### Other Prohibited Harassment

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, gender, sexual orientation, national origin, disability, or religion that is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples of prohibited harassment may include, but are not limited to, offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

The term "bullying" refers to conduct that meets the definition established in FDB (LEGAL). Go to this link and select FDB (LEGAL): [Policy FDB](#)

### Reporting Procedures

Any student who believes that he or she has experienced prohibited harassment should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

Any District employee who receives notice that a student has or may have experienced prohibited harassment is required to immediately report the alleged acts to an appropriate person designated below.

Reports of known or suspected child abuse or neglect shall be made as required by law. Go to this link and select Policy FFG (LOCAL): [Policy FFG](#)

Reports of harassment shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment.

## Employee Conduct



Oral or written reports of prohibited harassment shall normally be made to the campus principal. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting harassment directly to one of the District's officials below:

1. For sexual harassment, the Title IX coordinator, Office of General Counsel at 414-1706 Go to this link and select FB (LOCAL): [Policy FB](#).
2. For all other prohibited harassment, the Superintendent or designee, Office of General Counsel at 414-1706.

A report against the Title IX coordinator may be made directly to the Superintendent; a report against the superintendent may be made directly to the Board.

Upon receipt of a report of harassment, a principal shall immediately notify the appropriate District official listed above.

### Notice to Parents

The principal or District official shall promptly notify the parents of any student alleged to have experienced prohibited harassment by a District employee or another adult associated with the District. In cases of student-to-student harassment, the District shall promptly notify the parents of any student alleged to have experienced harassment when the allegations presented, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy.

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

### Investigation

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

Upon receipt or notification of a report, the District official shall determine whether the allegations, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy. If so, the District official shall immediately authorize or undertake an investigation.

If appropriate, the District shall promptly take interim action to prevent harassment during the course of the investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

The District's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending.

Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

## Employee Conduct



### **District Action**

If the results of an investigation indicate that prohibited harassment occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the harassment.

The District may take disciplinary action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of harassment prohibited by law or District policy.

### **Appeal**

A student, including a complainant, may appeal through Go to this link and select FNG (**LOCAL**): [Policy FNG](#), beginning at the appropriate level. A complainant shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

### **Retaliation Prohibited**

Retaliation against a student alleged to have experienced harassment, a witness, or another person who makes a report or participates in an investigation is strictly prohibited. A person who makes a good faith report of prohibited harassment shall not suffer retaliation for making the report. A person who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding prohibited harassment is subject to appropriate discipline.

Retention of records shall be in accordance with FB (LOCAL). Go to this link and select FB (**LOCAL**): [Policy FB](#).

Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices.

### **Suspected Child Abuse or Neglect**

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting suspected abuse or neglect to law enforcement or to Child Protective Services. Additionally, any District employee, agent, or contractor has an additional legal obligation to submit the oral or written report of suspected child abuse or neglect within 48 hours of learning the facts giving rise to the suspicion. Reporting your suspicion to a school counselor, principal or another staff member does not satisfy your responsibility under the Texas Family Code. Therefore, you may not delegate this duty to report to another coworker or employee, but certainly you may ask for assistance in making the report. While the District cannot require you to report your suspicion first to a school administrator, you are encouraged to inform your principal or supervisor after the report is made so that steps may be taken to ensure your safety and the safety of the child while awaiting intervention from the Child Protective Services or law enforcement investigator.

### **Confidentiality of Report: Good Faith Reporting**

State law requires that the identity of the person making the report of suspected child abuse or neglect be kept confidential. A person who in good faith makes a report or assists in the investigation of reported child abuse or neglect is immune from civil or criminal liability.

Similarly, the District cannot terminate, suspend, or discriminate against an employee for making a good faith report. Knowingly failing to report, however, is a Class A misdemeanor under Texas law. An employee is required to cooperate fully and not interfere with an investigation of reported child abuse or neglect. Failing to report, however, is a Class B misdemeanor under Texas law. An employee is required to cooperate fully and not interfere with an investigation of reported child abuse or neglect.

### **Parent Refusal to Administer Drug as Sole Basis for Report Not Allowed**

An employee may not use or threaten to use a parent's refusal to consent to administration of psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal presents a substantial risk of death, disfigurement or bodily injury to the child or the refusal has resulted in an observable and material impairment to the growth, development or functioning of the child.

## Employee Conduct



### Reporting the Abuse or Neglect

If the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child (including school employees), the report must be made to Child Protective Services at 1-800-252-5400 or on the Web at: [http://www.dfps.state.tx.us/Contact\\_Us/report\\_abuse.asp](http://www.dfps.state.tx.us/Contact_Us/report_abuse.asp).

All other reports of suspected abuse or neglect not involving a person with the care, custody or welfare of the child can be made to Child Protective Services or a law enforcement agency:

Austin ISD Police Department at (512) 414-1703  
Travis County CPS Office 1-800-252-5400

### Report of Drug Offenses

A district employee is not liable in civil damages for reporting a student suspected of using, passing or selling on school property any of the following substances:

- Marijuana or a controlled substance as defined by the Texas Controlled Substance Act.
- A dangerous drug, as defined by the Texas Dangerous Drug law.
- An abusable glue or aerosol paint as defined by the Texas Control Substance Act, or a volatile chemical, if the substance is used or sold for the purpose of inhaling its fumes or vapors.
- An alcoholic beverage as defined by the Alcoholic Beverage Code.

### Dietary Supplements

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 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

A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication. It is intended to have an altering effect on perception, emotion, or behavior and is commonly described as a mood- or behavior- altering substance.

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.

### Copyrighted Materials

Employees are expected to comply with the provisions of federal 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. Go to this link and select policy EFA (**LOCAL**): [Policy EFA](#)



## Types of Employees

### Regular Employee

A regular employee works a minimum of 20 hours/week, occupies an approved position in the District budget and is eligible for insurance and leave benefits. Regular employees include professional and at-will/classified employees.

### Part-time Employee

A part-time employee is defined as an employee who works less than 40 hours/week. A part-time employee may be either a regular employee or a temporary/hourly employee.

### Temporary/Hourly Employee

A temporary/hourly employee is paid only for time worked, does not occupy an approved position in the District budget and is not eligible for insurance or leave benefits. The employment status of a temporary/hourly employee is identical to the employment status of a substitute as expressed below.

### Substitute

A substitute is available to work in place of a regular employee when that employee is out on leave or in a vacancy while that vacancy is in the process of being filled.

Qualifications for working as a substitute in Austin ISD will be maintained by the Office of Human Resources.

Rates of pay for substitutes are established by the Board of Trustees.

### Employment Status of Substitutes

1. An individual who has been approved for inclusion on the substitute list has no expressed or implied right to any particular assignment at any time.
2. Any individual who has been approved for inclusion on the substitute list serves at the will of the District and has no expressed or implied right to continued employment with the District.
3. At any time and without prior notice, the District may, at its sole discretion, elect to stop utilizing the services of any individual on the substitute list. This decision may not be appealed.

### Extra Help or Temporary/Hourly Employment

Sometimes a school or office has a need for extra help which is designated as temporary/hourly employment (temp/hrly). The school/office may utilize either a substitute or another individual who is not a substitute to assist as extra help (temp/hrly).

In either case, extra help (temp/hrly) is always paid from the school/office budget.

Examples of extra help assignments include: tutoring, small group instruction, one-on-one teacher assistant, binder collation, data entry, STAAR/EOC preparation, material inventory, etc.

If a school or department selects a current substitute to work in an extra help capacity, this is not reported or tracked via the Aesop system, but rather through the supplemental pay process via the BOLT WorkForce Time Management system. When a substitute is providing extra help, the substitute is considered to be working as a temp/hourly NOT in the capacity of a substitute; therefore, working in an extra help assignment does not apply toward incremental pay for working as a substitute. Incremental pay is a type of incentive pay designed to encourage substitutes to fill in for absent employees that are reported and tracked via the Aesop system. Working in an extra help assignment does not count towards substitute "days worked" within a school year. The hourly rate of pay for extra help is normally the substitute's base daily rate divided by 8 hours. It is important to monitor total hours worked at all locations during the week. Substitutes should not work more than 40 hours in a week.

### Employee Files

An employee file is maintained in the Office of Human Resources for each person working in AISD. Some of the items contained in an employee's file include: application, appointment letter, change of assignment letter, salary letter, action sheets, appraisals, contracts, a copy of the social security card, official college transcripts, and service records. Other documents related to a person's employment in AISD may also be maintained in the employee file. All medical records, if any, will be kept in a separate confidential file.

# Human Resources



Campus employee files may also be maintained by the campus administration. Employee evaluation records may be maintained in this file, as well as other documents related to the employee's school activities.

Employees have the right to review their own employee files with reasonable notice to their supervisor or the Office of Human Resources. The public may also request to review and or obtain copies of employee files through the Texas Public Information Act. Certain information contained in employee files, however, is confidential and is not released to the public. The Office of Human Resources and/or the Administrative Supervisor of Public Information will use best efforts to notify an employee when a request has been made for a copy of his or her employee file by a member of the public.

Employees may choose to have the following personal information withheld:

- Address
- Phone number
- Social Security number
- E-mail address
- Information that reveals whether they have family members

The choice to not allow public access to this information may be communicated at any time by submitting a written request to the Office of Human Resources. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public.

It is important that public records be kept up to date. Employees must notify the Office of Human Resources if there are any changes or corrections to their name or emergency contact. Forms to process a change in personal information can be obtained from the Office of Human Resources. Changes in address and phone number can be made by employees directly in the Portal or the AISD Cloud.

## Leave

A leave request must indicate the type of leave being requested and any required documents. To be eligible for personal leave an employee must request to take leave at least two days before the anticipated absence.

### Leave Benefits Available at Full Pay

The following information is a summary of leave benefits available in Austin ISD. For complete information on AISD leave benefits, go to this link and select DEC (**LOCAL**): [Policy DEC](#). Austin ISD policies may be found on the web at [www.austinisd.org](http://www.austinisd.org). Go to the policy link and follow the prompts.

### Personal/Sick Leave

The State of Texas provides five (5) days of personal leave each school year. State personal leave may be used at the employee's discretion, subject to policy limitations Go to this link and select DEC (**LOCAL**): [Policy DEC](#).

In addition, AISD provides sick leave according to the following schedule:

	State Personal	AISD Sick	Total Leave
10-month employee:	5	4	9
11-month employee:	5	5	10
12-month employee:	5	6	11

For purposes of personal illness, illness in the immediate family, or funeral leave (maximum of 5 days), available leave shall be used in the following order:

1. Local sick leave, until exhausted
2. State sick leave accumulated prior to the 1995-96 school year, until exhausted
3. State personal leave, until exhausted.

## Human Resources



The use of discretionary personal leave is subject to the following limitations:

1. The request must be submitted at least two days in advance
2. The time requested may not exceed three consecutive work days,
3. The time requested cannot be taken on the day before/after an official school holiday, or the day on which a District-wide standardized test is scheduled.

Employee leave should be used when an employee is absent from work. Employees must not be on campus or at their worksite during the hours that they have identified as being used for leave.

### **Certification of Illness**

An employee requesting to use any leave benefits described in this policy for his or her personal illness or for the illness of an immediate family member for a period of five or more days durations shall be required to file with the Office of Human Resources a certification of the illness by the employee's health provider. A certification of illness by the employee's health provider for personal illness or for the illness of an immediate family member for a period of less than five days shall be required to be filed at the discretion of the Office of Human Resources if there appears to be evidence to support abuse of such leave. A record of leave usage in question shall be provided to the employee, who shall have ten (10) workdays to respond. No leave shall be denied or withheld pending resolution of the review process.

### **Annual Carryover of Leave Balance**

At the end of each school year, any unused local sick leave, state sick leave and state personal leave is carried over to the next school year.

Local sick leave, state sick leave, and state personal leave shall not be approved for more than the unused leave carried over from prior years plus the leave time earned in the current school year.

### **Leave Balances after Resignation**

If an employee resigns from AISD, any unused state leave remains on the employee's service record indefinitely and, if requested by the employee, will transfer with the employee to other public school districts in Texas. Any unused AISD local sick leave will not transfer to other public school districts, but will remain on the books in AISD for a period of one year. If the employee returns to work in AISD within one year, the local sick leave will be restored. Otherwise, it will be lost.

### **Sick Leave Bank**

An eligible employee may participate in the AISD sick leave bank. The sick leave bank provides additional sick leave for an employee who has exhausted all sick and personal leave, and has been determined to have a personal illness of a catastrophic nature. An employee must meet certain conditions to be eligible for participation. See DEC (Regulation) for complete details. [DEC \(REGULATION\)](#)

### **Civic Leave**

Civic leave may be granted for short periods to fulfill the requirements of a jury summons, court summons, and other mandatory governmental summons.

### **Assault Leave**

Assault leave provides extended job 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 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.

### **Adoptive Leave**

An employee who is adopting children under six years of age may use up to 15 days of regular accumulated state leave

## Human Resources



and/or local sick leave (if available). Also, an employee may use additional days at a reduced rate of pay that is not deducted from any leave balances. The maximum total number of days for adoptive leave may not exceed 30 days.

### **Vacation**

Twelve-month classified employees earn one vacation day per month not to exceed 10 days per school year (from July 1 to June 30).

Vacation earned in a school year must be used prior to winter break in the following school year, or it will be lost.

Administrative and professional employees do not earn paid vacation days. "Vacation" days for these employees are actually unpaid non-contract days left over at the end of an employee's contract year. A 12-month administrative or professional employee will typically have less than 10 non-contract days left over at the end of the contract year that will serve as vacation days.

### **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.

**Reemployment after military leave:** Employees who leave the District to enter into the United States uniformed services or 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 the Director of HR Services.

**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 the Benefits Office for details on eligibility, requirements, and limitations.

### **Leave Benefits Available at Reduced Pay**

#### **Extended Sick Leave**

If all state and local sick leave are exhausted, extended sick leave may be requested at a rate of pay that is reduced by the cost of a substitute. Such reduction shall not exceed 50% of the employee's rate of pay. Extended sick leave is only available for an employee's personal illness according to the schedule below:

0–4 years of employment in AISD*	Up to 30 days in a school year
5–14 years of employment in AISD*	Up to 45 days in a school year
15+ years of employment in AISD*	Up to 60 days in a school year

\* Does not include the current school year.

### **Leave Benefits Available Without Pay**

#### **Professional Leave**

One semester or one year of leave without pay may be granted to regular employees for the purpose of professional study subject to approval of the Superintendent or designee. Supporting documentation will be required. It is not permissible to conduct professional study activities during paid District work time unless other working arrangements have been designed and approved to fulfill all the job requirements, including time requirements.

#### **Temporary Disability Leave**

If all leave, including local sick, state personal leave and extended leave is exhausted, temporary disability leave without pay may be granted in the event that an employee has a medical condition that interferes with the performance of his/her regular duties. This may include, but is not limited to, pregnancy. The maximum length of temporary disability leave is 365 days.





### **Parenting Leave**

An employee may be granted a leave of absence without pay for the purpose of rearing a child under six years of age. This leave shall not exceed one year. Employee shall notify the Leave Office of the District of the desire to return to active duty at least 30 days prior to the expected date of return. Subject and subsequent to notification of intent to return, the employee returning from parenting leave shall be placed in an assignment comparable to that held before taking parental leave. However, return to active duty is subject to the availability of an appropriate vacancy.

### **Paid Parenting Leave**

Paid parenting leave shall be granted to a regular employee who has a child under one year of age in accordance with the following:

1. Up to 15 days of accumulated state leave and/or local sick leave may be used for this purpose;
2. Additional workdays may be granted with an amount deducted equal to the substitute's daily rate, except that the employee's rate of pay shall be reduced by no more than 50 percent; and
3. The number of workdays allowed for items 1 and 2 above shall not exceed 30.

An employee who has taken paid parenting leave shall not be permitted to take adoptive leave in the same school year.

### **Employee Organization Developmental Leave**

A developmental leave of absence without pay for two years may be granted to three officers of an employee organization that comprises at least 500 District employees, subject to recommendation of the Superintendent and approval by the Board.

Such leave shall be taken without pay, or Teacher Retirement System (TRS) contribution, or state credit for service, or any paid benefits. Individuals may, however, continue health insurance participation at their own expense. Go to this link and select CRD(**LOCAL**): [Policy CRD](#) and, if eligible may establish TRS credit by personally making deposits to TRS as provided by Law.

Individuals will receive a year of creditable service for salary purposes [see DEFINITIONS] for time on developmental leave and upon return from leave, the salary shall be set at a rate equal to the salary that would be earned if leave had not been taken for that period of time.

Upon completion of the two-year leave, the employee may apply for an additional two years of leave, subject to all provisions herein. No more than four years of leave may be taken under this policy, either consecutively or non-consecutively.

### **Family and Medical Leave**

Federal law requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. The District shall allow employees to choose to use family and medical leave concurrently with other types of leave available in this policy. Regular employees are eligible if they have worked for AISD for at least one year, and for 1,250 hours over the previous 12 months.

Family and medical leave may be granted for any of the following reasons:

- To care for the employee's child after birth or adoption, including placement for foster care (provided that such leave is taken within 12 months of the event); or
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.
- For military caregiver purposes.

This leave allows an eligible employee to continue receiving insurance benefits normally paid by AISD for up to 12 weeks (provided that the employee returns to work in AISD).

## Human Resources



The District may recover its share of health care premiums paid during a period of FMLA leave if an employee fails to return to work after his or her FMLA leave entitlement has been exhausted or expires, unless one of the following exists:

- The continuation, recurrence, or onset of a serious health condition that entitles the employee to leave under FMLA; or
- Other circumstances beyond the employee's control.

When an employee fails to return to work, except for the reasons stated above, health premiums paid by the District during a period of FMLA leave are a debt owed the District by the non-returning employee, and may be recovered by the District through deduction of any sums due the employee or through legal action.

### The Americans with Disabilities Act

The Americans with Disabilities Act of 1990 seeks to eliminate discrimination against individuals with disabilities in the areas of employment, transportation and public accommodations. ADA prohibits employers from excluding people from jobs, services, activities or benefits based on their disabilities.

The ADA defines disability with respect to an individual as:

- A physical or mental impairment that substantially limits one or more major life activities of such individual;
- A record of such an impairment; or
- Being regarded as having such an impairment.

It also defines:

- A qualified individual with a disability as one who possesses the requisite skills, education, experience and training for a position, and who can, with or without reasonable accommodation, perform the essential functions of the position the individual desires or holds.
- A substantial limitation as an impairment that prevents the performance of a major life activity that the average person in the general population can perform; or a significant restriction as to the condition, manner or duration under which an individual can perform a particular major activity as compared to the average person in the general population.
- A reasonable accommodation as a modification or adjustment to the job application process or the work environment that enables a qualified person with a disability to be considered for a position, or enjoy the same benefits and privileges of employment as are enjoyed by similarly situated employees without disabilities.

### Major life activities include:

- |                           |                 |                                |
|---------------------------|-----------------|--------------------------------|
| • Walking                 | • Standing      | • Major Bodily Functions       |
| • Seeing                  | • Lifting       | • Functioning of immune system |
| • Speaking                | • Bending       | • Normal cell growth           |
| • Hearing                 | • Reading       | • Digestive                    |
| • Breathing               | • Concentrating | • Bowel                        |
| • Learning                | • Thinking      | • Bladder                      |
| • Performing manual tasks | • Communicating | • Neurological                 |
| • Caring for one's self   |                 | • Brain                        |
| • Working                 |                 | • Respiratory                  |
| • Eating                  |                 | • Circulatory                  |
| • Sleeping                |                 | • Endocrine                    |
|                           |                 | • Reproductive                 |

### Procedures for Requesting ADA Accommodations

Employees can initiate the accommodation process by submitting a request for an accommodation for a disability to the Department of Employee Relations. If you believe you have a qualifying disability and are seeking accommodations in the workplace to enable you to perform your essential job functions, you should contact one of the District's ADA coordinators to begin the interactive interview process as required by federal law.

1. Employee should contact one of the ADA Coordinator, Nicole Holland (Classified) at 512-414-9687 and Adreayn Wilson (Professional), at 414-1481.
2. The ADA Coordinator will provide a job description form to the employee, which must be filled out by the Employee's health care provider. Reasonable accommodations will not be provided prior to the receipt of adequate documentation as determined by the District.
3. After receiving the documentation from the health care provider, the ADA Coordinator will review the medical information to determine its adequacy. If the information provided is incomplete, unclear or inconsistent, the ADA Coordinator can request that the employee obtain additional or clarifying information from the health care provider.
4. Based on the requested accommodation(s) the ADA Coordinator will discuss the feasibility and appropriateness of the requested accommodation(s) with the necessary parties, such as supervisors or campus administrators.
5. The ADA Coordinator will notify the employee in writing of the District's determination as to appropriate accommodation(s) to be implemented or the explanatory denial of the request or portions of the request.

**Please note the following:**

**Having a medical condition alone is not enough to make an employee eligible for accommodations under the Americans with Disabilities Act Amendment Act of 2008 (ADAAA).**

**The District reserves the right to obtain an independent medical opinion concerning the impairment for which an employee seeks an accommodation at District expense.**



### **Workers' Compensation**

Austin ISD provides insurance coverage to all district employees who sustain an illness or injury within the course and scope of their employment. If an illness/injury occurs report it to the department supervisor or school principal without delay and seek medical attention as necessary. Failure to promptly report a work-related illness or injury as required by the Texas Division of Workers' Compensation (DWC) may delay benefits or result in denial of the claim. Every illness/injury must be reported to the AISD Risk Management Department to file a claim and receive WC benefits. An employee can obtain additional information concerning state guidelines and your Workers' Compensation rights by calling DWC at 512-933-1899 (or 1-800-252-7031 outside of the Austin area). This service is free.

### **Workers' Compensation Benefits**

An employee who misses duty time as a result of a work related illness or injury may be eligible for workers' compensation income benefits depending upon the duration of the absence.

An employee missing time due to a job-related illness or injury may choose to utilize personal sick or other paid leave in lieu of WC wage benefits. If this option is selected workers' compensation wage benefits will commence only after the designated available leave has been utilized. If personal leave is not elected then an employee will only receive the wage benefits provided under workers' compensation. There are advantages and disadvantages to using either personal leave or WC wage benefits. The Workers' Compensation Reporting Packet provided to an employee when reporting an illness/injury contains details about each of the Leave options. All affected employees are encouraged to carefully review this information before making this important selection. Questions should be directed to the Risk Management department.

### **Employee Returning from Leave**

An employee returning from medical leave will need to provide a note of release or fitness for duty, signed by a licensed healthcare provider, before, or on the date of return. An employee may not report for duty if they do not have this release.

### **Employment Status Upon Returning From Leave**

An employee who is returning from an approved leave of absence will be placed in the original position that was vacated at the beginning of the leave event or in an equivalent position.

The base rate of pay and number of paid duty days for an equivalent position must be no less than the base rate of pay and number of paid duty days for the original position occupied at the beginning of the leave event. It must also be a position for which the employee is qualified.

This provision in no way limits the right of the Superintendent or designee to reassign any employee into any position for which the employee is qualified, based on the needs of the district, after the employee returns from leave to the employee's original or equivalent position.

### **Types of Contracts**

#### **Probationary Contract**

Any person who is employed as a professional, including full-time classroom teachers, counselors, librarians, administrators and anyone who has not been previously employed as a contract employee by the district for two consecutive school years and is not on a temporary status, receives a probationary contract.

The probationary contract is for one school year, and is normally issued for a total of three one-year periods. The decision to offer a fourth year probationary contract rests solely with the District. For those who have been employed in other school districts for five of the eight years prior to initial employment with the District, the probationary period may not exceed one year.



## Term Contracts

Term contracts may be issued for a period of one, two, or three-years.

The Superintendent or designee may remove, assign, or reassign supplemental duties at any time during the contract term.

## Work Assignment

### Professional Employees

Making sure that the best interests of the schools are being served is the main consideration when the district assigns employees to schools. The field(s) of certification, licensing, and area(s) of specialization are considered when assigning an employee to a job.

On the local campus, the principal determines a teacher's teaching assignment. Employees are subject to assignment and reassignment by the Superintendent or designee.

Go to this link and select DK ([LOCAL](#)) [Policy DK](#).

### Classified/At-Will Employees

Making sure the best interests of the schools and departments are being served is the main consideration when the District assigns employees to a school, department, or facility. The employee's qualifications, licensing, specializations, and certifications are considered when he/she is assigned to a job. Employees are subject to assignment and reassignment by the Superintendent or designee. Go to this link and select DK ([LOCAL](#)) [Policy DK](#). If an employee wishes to apply for other vacant/open positions, for which he or she qualifies, then he or she should submit an internal application through the district's application system. Classified employees must be in their correct assignment for a minimum of 135 calendar days before their internal application can be processed.

## Break Periods

Break periods, such as meal or rest period may or may not be compensated, depending in large part on whether the employee is relieved from duty and the amount of time given for the activity.

1. Lunch Breaks:
  - a. If work circumstances permit, all regular employees who work eight (8) hours per day should be given a minimum of thirty (30) minutes per day for lunch. If a lunch period is granted, it will be "duty free" and without pay. If a thirty (30) minute lunch-break were granted, the total scheduled workday period would be for 8 ½ hours (eight (8) hours worked and thirty (30) minutes for lunch). If the lunch period were scheduled to be extended beyond thirty (30) minutes, the scheduled workday would be extended accordingly.
  - b. Although all eight (8) hour Classified employees should be given a minimum of thirty (30) minutes "duty free" lunch break, special work circumstances may occasionally require that some employees work during this period. However, a lunch break should typically be granted at some point during the middle of the day.
  - c. Examples: Employee work schedule
    - i. 7:30 a.m. – 4:30 p.m. = 8 hours worked; 1 hour duty free lunch
    - ii. 7:30 a.m. – 4:00 p.m. = 8 hours worked; 30 min. duty free lunch
2. Work Breaks:
  - a. Classified employees may be allowed to take a paid work break if their regular duty schedule calls for four (4) hours or more of continuous work. Break periods, such as coffee, snack or rest breaks, are compensated rest periods and cannot be excluded from hours worked as bona fide meal periods.
  - b. Administrators/supervisors are encouraged to provide work breaks. However, there may be situations that make this impractical. Breaks are subject to certain restrictions:
    - i. No break should be taken until at least one (1) hour after starting time.
    - ii. Break periods will be limited to a maximum of fifteen (15) minutes or less. (Example: A.M. = 15 minutes or less. P.M. = 15 minutes or less.)
    - iii. Work breaks may not be combined to allow for a longer break period.
    - iv. Employees may not take a break at the end of a scheduled workday in order to leave early.
    - v. No additional pay will be given to employees who do not take a work break.
    - vi. Break time cannot be accumulated.
    - vii. Work breaks may not be used to extend a lunch break.



### **Reassignments and Transfers**

All employees are subject to assignment and reassignment by the Superintendent or designee when the Superintendent or designee 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. Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the District process for employee complaints as outlined in this handbook and District Policy DGBA (Local) Go to this link and select DGBA (**LOCAL**): [Policy DGBA](#).

An employee with the required qualifications for a position may submit an internal application through the district's application system to transfer to other teaching/professional position by the state deadline. An employee is not eligible to submit an internal application if he/she will be on a probationary contract for the following school year. The Office of Human Resources will review all incoming applications and will not release the application for teacher/professional who will on probationary contract the following school year.

### **Job Vacancy Announcements**

Announcement of job vacancies by position are located on the District website. Go to this link to view current job vacancies: <http://www.applitrack.com/austinsd/onlineapp/default.aspx>

### **Evaluation of An Employee's Job Performance**

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. All employees will participate in the evaluation process with their assigned supervisor at least annually. Additional conferences about employee performance may be held as the supervisor deems necessary. Written evaluations will be completed on forms approved by the District. Reports, correspondence, and memoranda also can 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.

New classified employees may have two evaluations, one during the 135-calendar day probationary period of employment, and another at the time all other classified employees are evaluated.

### **Parental Notification Regarding Qualifications**

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, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.

Texas law requires that parents be notified if their child is assigned for more than 30 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 a certification exam) and individuals who do not hold any certificate or permit. No later than the 30<sup>th</sup> 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.

### **Outside Employment**

Additional or supplementary part-time employment accepted by a professional employee shall not in any way interfere with the complete and efficient performance of school duties and obligations.

An employee (administrative, professional or classified) shall not engage in any other employment or in any private business during the hours necessary to fulfill appropriate assigned duties outside of appropriate leave.

## Human Resources



In addition, an employee shall not at any time engage in any non-District employment that would:

1. Require time or energy demands that will interfere with the Individual's effectiveness in performing regular assigned duties.
2. Adversely affect the individual's employment status or professional standing.
3. Conflict with assigned duties.

Principals, directors, executive directors, associate superintendents, and chief officers shall be required to provide current, written notice to their immediate supervisor of all outside employment.

Go to this link and select DBF(**LOCAL**): [Policy DBF](#)

### Abandonment of Job

#### Professional Employees

The supervisor shall notify the Director of Employee Relations when a professional employee has failed to report to work for two consecutive days. The Supervisor of Employee Relations will work with the supervisor to notify the employee that he/she is at risk for termination due to abandonment of job. The employee will be directed to immediately report for work or contact the supervisor or Employee Relations. Failure to immediately comply with this directive will result in a recommendation from the Superintendent to the Board for termination during a contract based on abandonment of job and according to Board Policy.

Go to this link and select DFBA (**LEGAL**): [Policy DFBA](#). Go to this link and select DFBA (**LOCAL**): [Policy DFBA](#).

#### Classified Employees

A classified employee's employment status shall be terminated when the employee fails to report to work for a period of three (3) consecutive working days and notification was not given to the employee's immediate supervisor during such absence, except when it is determined that the circumstances of such absence were justified and precluded giving notification.

### Resignations

#### Contract Employees

When you resign, you are asking to be released from your contract with the District, unless you have reached the end of a contract period and have notified the District that you do not plan to continue employment with AISD. If you wish to be released during the school year, you must submit that request in writing at least 45 days in advance for your request to be considered. If you resign during the summer, you must submit your resignation no later than 45 days prior to the first day of instruction for the new school year. After that deadline has passed, it is possible that you might not be released from your contract.

The Superintendent or designee shall be authorized to receive a contract employee's resignation effective at the end of the school year or submitted after the last day of the school year and before the penalty-free resignation date. The resignation is accepted upon receipt.

If you are leaving District employment, all property and records belonging to the District must be turned in to your supervisor.

Note: Employees who elect to resign in lieu of nonrenewal or termination are not eligible for rehire in the District. Go to this link and select DC (**REGULATION**): [Policy DC](#)

#### Classified Employees

Classified employees who find it necessary to terminate their employment with the District should advise their principal or department head and submit the resignation, in writing, at least two (2) weeks prior to the last day of work to allow time to secure an adequate replacement. A classified employee who resigns within a ten (10) working day period following the end of winter or spring break will not be paid for the holiday period. Vacation days may not be used as part of the ten (10) working day requirement following winter or spring break.

## Human Resources



Note: Employees who elect to resign in lieu of termination are not eligible for rehire in the District. Go to this link and select DC (**REGULATION**): [Policy DC](#)

### Nonrenewal of Contract

The Superintendent may recommend to the Board that a full-time employee's contract not be renewed when the employee's current contract ends.

Employees must be notified in writing of nonrenewal no later than the 10<sup>th</sup> day before the last day of instruction in a school year. Go to this link and select DFBB (**LEGAL**): [Policy DFBB](#)

Employees on a term (not probationary) contract who receive notice of proposed nonrenewal of contract may file a written request for a hearing before the Board. The written request must be filed within fifteen (15) days after the employee receives notice of the proposed nonrenewal. Go to this link and select Policy DFBB (**LOCAL**): [Policy DFBB](#). Probationary contract employees have no appeal rights of the Board's decision to terminate a probationary contract at the end of the contract period.

The recommendation to the Board and its decision not to renew a contract under this policy shall not be based on an employee's exercise of Constitutional rights or based unlawfully on an employee's race, color, religion, sex, national origin, disability, or age, and will comply with all due process requirements in the law. Reasons for proposed non-renewal of an employee's term contract shall be:

1. Deficiencies pointed out in observation reports, appraisals or evaluations, supplemental memoranda, or other communications.
2. Failure to fulfill duties or responsibilities.
3. Incompetence or inefficiency in the performance of duties.
4. Inability to maintain discipline in any situation in which the employee is responsible for the oversight and supervision of students.
5. Insubordination or failure to comply with official directives.
6. Failure to comply with Board policies or administrative regulations.
7. Excessive absences.
8. Conducting personal business during school hours when it results in neglect of duties.
9. Reduction in force because of financial exigency. See DFF at this link: [Policy DFF](#)
10. Reduction in force because of a program change. See DFF at this link: [Policy DFF](#)
11. A decision by the campus intervention team that the employee not be retained at a reconstituted campus. See AIC at this link: [Policy AIC](#)
12. The employee is not retained at a campus that has been repurposed in accordance with law. See AIC at this link: [Policy AIC](#)
13. Drunkenness or excessive use of alcoholic beverages; or possession, use, or being under the influence of alcohol or alcoholic beverages while on school property, while working in the scope of the employee's duties, or while attending any school-or District-sponsored activity.
14. The illegal possession, use, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogens, or other substances regulated by state statutes.
15. Use of a computer, school mail, or any other means of communication in a manner that is harassing, offensive, or disruptive to the school operations.
16. Failure to meet the District's standards of professional conduct.
17. Failure to report any arrest, indictment, conviction, no contest or guilty plea, or other adjudication for any felony, any crime involving moral turpitude, or other offense listed at DH (**LOCAL**). Go to this link and select DH (**LOCAL**): [Policy DH](#)
18. Conviction of or deferred adjudication for any felony, any crime involving moral turpitude, or other offense Go to this link and select DH (**LOCAL**): [Policy DH](#); or conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony. Go to this link and select DH (**LOCAL**): [Policy DH](#)
19. Misappropriation of public funds.
20. Theft of District property.
21. Failure to comply with reasonable District requirements regarding advanced coursework or professional improvement and growth.
22. Disability, not otherwise protected by law, which prevents the employee from performing the essential functions of the job.



## Human Resources



23. Any activity, school-connected or otherwise, that, because of publicity given it, or knowledge of it among students, faculty, and community, impairs or diminishes the employee's effectiveness in the District.
24. Any breach by the employee of an employment contract or any reason specified in the employee's employment contract.
25. Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community or colleagues.
26. A significant lack of student progress attributed to the educator.
27. Behavior that presents a danger of physical harm to a student or to other individuals.
28. Assault on a person on school property or a school-related function, or on an employee, student, or student's parent regardless of time or place.
29. Use of profanity in the course of performing any duties of employment, whether on or off school premises, in the presence of students, staff, or members of the public, if reasonably characterized as unprofessional.
30. Falsification of records or other documents related to the District's activities.
31. Falsification or omission of required information on an employment application.
32. Misrepresentation of facts to a supervisor or other District official in the conduct of District business.
33. Failure to fulfill requirements for certification, including passing certification examinations required by state law for the employee's assignment.
34. Failure to achieve or maintain "highly qualified" status as required by the employee's assignment.
35. Failure to fulfill the requirements of a deficiency plan under an Emergency Permit, a Special Assignment Permit, or a Temporary Classroom Assignment Permit.
36. Abandonment of contract with the District.
37. Any attempt to encourage or coerce a child to withhold information from the child's parent or from other District personnel.
38. The solicitation, encouragement, insinuation, or consummation of an inappropriate written, verbal, or physical relationship with a student.
39. Violation of the privacy rights of students under the federal Family Educational Rights and Privacy Acts (FERPA).
40. Any reason that makes the employment relationship void or voidable, such as violation of federal, state, or local law.
41. Any reason constituting good cause for terminating the contract during its term.

### Notice and Hearing

When a term contract employee is proposed for nonrenewal at the end of the contract term, he/she will receive notice from the Board of the proposed action. If the employee desires a hearing after receiving notice from the Board of the proposed nonrenewal, the employee shall notify the Board in writing not later than the 15<sup>th</sup> day after the date the employee receives written notice of the proposed action.

When a timely request is received by the Board President, the hearing shall be held not later than the 15<sup>th</sup> day after receipt of the request, unless the parties mutually agree in writing to a delay. The hearing process provides for the employee and administration to be represented by a representative of his/her choice, to present evidence and hear the evidence on which the charges are based or refuted, and cross-examine each other's witnesses. A record of the hearing is made. After all evidence has been presented, the Board will make its decision and notify the employee by providing written notice not later than the 15<sup>th</sup> day after the date on which the hearing is concluded. Go to this link and select DFBB (**LOCAL**): [Policy DFBB](#).

### Termination: Professional (Contract) Employees

Any professional employee, whether employed under a probationary contract or under a term contract, may be discharged during the contract term by the Board. The recommendation to the Board and its decision to terminate a contract under Policy DFBA see DFBA at this link: [Policy DFBA](#), shall not be based on an employee's exercise of Constitutional rights or based unlawfully on an employee's race, color, religion, sex, national origin, disability, or age, and will comply with all due process requirements in the law. Reasons for proposed termination of an employee's term contract shall be:

1. Deficiencies pointed out in observation reports, appraisals or evaluations, supplemental memoranda, or other communications.
2. Failure to fulfill duties or responsibilities.
3. Incompetence or inefficiency in the performance of duties.
4. Inability to maintain discipline in any situation in which the employee is responsible for the oversight and supervision of students.
5. Insubordination or failure to comply with official directives.

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6. Failure to comply with Board policies or administrative regulations.
7. Excessive absences.
8. Conducting personal business during school hours when it results in neglect of duties.
9. Reduction in force because of financial exigency or program change See DFF at this link: [Policy DFF](#).
10. A decision by a campus intervention team under Education Code 39.1324 that the employee not be retained at a reconstituted campus.
11. Drunkenness or excessive use of alcoholic beverages; or possession, use, or being under the influence of alcohol or alcoholic beverages while on school property, while working in the scope of the employee's duties, or while attending any school or District-sponsored activity.
12. The illegal possession, use, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogens, or other substances regulated by state statutes.
13. Use of a computer, school mail, or any other means of communication in a manner that is harassing, offensive, or disruptive to the school operations.
14. Failure to meet the District's standards of professional conduct.
15. Failure to report any arrest, indictment, conviction, no contest or guilty plea, or other adjudication for any felony, any crime involving moral turpitude, or other offense listed. Go to this link and select DH (**LOCAL**): [Policy DH](#).
16. Conviction of or deferred adjudication for any felony, any crime involving moral turpitude, or other offense listed. Go to this link and select DH (**LOCAL**): [Policy DH](#); and conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony. Go to this link and select DH (**LOCAL**): [Policy DH](#).
17. Misappropriation of public funds.
18. Theft of District property.
19. Failure to comply with reasonable District requirements regarding advanced coursework or professional improvements and growth.
20. Disability, not otherwise protected by law, which prevents the employee from performing the essential functions of the job.
21. Any activity, school-connected or otherwise, that, because of publicity given it, or knowledge of it among students, faculty, and community, impairs or diminishes the employee's effectiveness in the District.
22. Any breach by the employee of an employment contract or any reason specified in the employee's employment contract.
23. Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community, or colleagues.
24. A significant lack of student progress attributable to the educator.
25. Behavior that presents a danger of physical harm to a student or to other individuals.
26. Assault on a person on school property or a school-related function, or on an employee, student, or student's parent regardless of time or place.
27. Use of profanity in the course of performing any duties of employment, whether on or off school premises, in the presence of students, staff, or members of the public, if reasonably characterized as unprofessional.
28. Falsification of records or other documents related to the District's activities.
29. Falsification or omission of required information on an employment application.
30. Misrepresentation of facts to a supervisor or other District official in the conduct of District business.
31. Failure to fulfill requirements for certification, including passing certification examinations required by state law for the employee's assignment.
32. Failure to achieve or maintain "highly qualified" status as required for the employee's assignment.
33. Failure to fulfill the requirements of a deficiency plan under an Emergency Permit, a Special Assignment Permit, or a Temporary Classroom Assignment Permit.
34. Abandonment of contract with the District.
35. Any attempt to encourage or coerce a child to withhold information from the child's parent or from other District personnel.
36. The solicitation, encouragement, insinuation, or consummation of an inappropriate written, verbal, or physical relationship with a student.
37. Violation of the privacy rights of students under the federal Family Educational Rights and Privacy Acts (FERPA).
38. Any reason that makes the employment relationship void or voidable, such as violation of federal, state or local law.
39. Any reason constituting good cause for terminating the contract during its term.



### Notice and Hearing

When an employee is proposed for termination during the contract term, he/she will receive notice from the Board of the proposed action. If the employee requests a hearing on the proposed termination, he/she must do so by filing a written request for a hearing with the commissioner of education not later than the 15th day after the date the employee receives written notice of the proposed action. The employee must provide the district with a copy of the request and must provide the commissioner with a copy of the notice. The hearing process provides for the employee to be represented by a representative of his/her choice, to hear the evidence on which the charges are based, to cross-examine each adverse witness, and to present evidence. Education Code 21.251(a) (1)-(3); 21.253(a); 21.256(c) (1)-(4).

### Dismissal of Noncontract Employees

#### Policy DCD

Noncontract 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, any other basis protected by law, or in retaliation for the exercise of certain protected rights.

The District practices a progressive disciplinary approach to performance problems of at-will employees in order to allow employees the opportunity to improve. However, sometimes after repeated efforts to work with an employee or after an egregious or unlawful incident, a supervisor recommends termination of the at-will employee. When a supervisor recommends termination of an at-will employee, the following steps will be followed.

- Step 1: The principal or supervisor will notify the Associate Superintendent or appropriate supervisor and the Employee Relations Coordinator of the recommendation for termination. The supervisor will explain the situation leading to the recommendation and describe the corrective interventions that have been used, if appropriate.
- Step 2: The supervisor will provide the Employee Relations Coordinator copies of supporting documentation, including such items as: performance evaluations, completed corrective action forms, memorandum of concern, written directives, summary memos, meeting summaries, investigation reports, and the like.
- Step 3: The principal or supervisor and the Employee Relations Coordinator will meet with the employee to explain reasons for the performance concerns and to give the employee an opportunity to provide additional information for consideration. The employee may bring a representative to this meeting. Prior to the meeting, copies of the supporting documentation will be provided to the employee upon request. Following the meeting, the Employee Relations Coordinator and the principal or supervisor will consider all of the information and make a recommendation for the individual's employment status. The Employee Relations Coordinator may determine that additional information or investigation is needed before making an employment decision.
- Step 4: The District's Senior School Law Attorney will review the recommendation for termination, including all supporting documentation.
- Step 5: The Director of Human Resource Services will give the final approval for the termination recommendation.
- Step 6: The Employee Relations Coordinator will notify the employee of his/her termination, including information regarding the process for appeal of the termination to the Executive Director of Human Resources. Requests for appeal must be filed on the appeal form within five workdays of the notice of termination.
- Step 7: The Executive Director of Human Resources will schedule an appeal hearing within five workdays of receipt of the request for appeal. Following the appeal hearing, the Executive Director of Human Resources will render a decision in writing within five workdays. The employee may bring a representative to this meeting.
- Step 8: If an employee's termination is upheld during the appeal hearing, the employee may file a grievance pursuant to Board policy. Go to this link and select DGBA (**LOCAL**): [Policy DGBA](#). A grievance filed as a result of termination of employment will receive a jurisdictional referral to LEVEL THREE of DGBA (LOCAL). Go to this link and select DGBA (**LOCAL**): [Policy DGBA](#) with the Superintendent or designee.



### **Employee Grievances**

A grievance is a formal complaint filed by an employee. A grievance under Policy DGBA (LOCAL). **Go to this link and select DGBA (LOCAL): [Policy DGBA](#)** Policy DGBA may include, but shall not be limited to, any of the following: wages, hours, or conditions of work. Specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age or disability; specific allegations of unlawful discrimination or retaliation on the basis of the employee's exercise of constitutional rights; and "Whistleblower" complaints may be brought under DGBA (LOCAL), but in accordance with policy, may be removed or required to be submitted under Board policy DIA.

The purpose of the policy is to provide employees an orderly process to present grievances and possibly resolve them. The Board intends that, where feasible, grievances should be resolved at the lowest possible administrative level. Employees are encouraged first to discuss any concerns with their supervisor to see if agreement or an acceptable resolution can be reached.

Grievances should be presented in writing on the approved AISD grievance form and signed by the person filing the grievance. The grievance should state both the specific facts pertaining to the grievance and the relief being requested by the grievant. A complaint or appeal that is incomplete in any material aspect may be dismissed, but may be refiled with all required information if the filing is within the original designated time for filing. The initial Level One grievance must be filed with the principal or immediate supervisor within 15 workdays of the date the employee knew, or should have known, of the event causing the grievance. Grievance timelines and forms are available both on the AISD website and from the Office of Employee Relations.

If the issues of the grievance are not resolved at Level One, the employee has a right to continue with the next level of the grievance process. Grievances may not be amended to add new allegations or concerns after the initial grievance has been filed.

The principal of each campus and other supervisory personnel shall ensure that employees under their supervision are informed of this policy. Neither the Board nor the administration shall unlawfully retaliate against any employee for bringing a grievance under this policy.

The employee who files a grievance and any employee who is the subject of a grievance may be represented during the grievance process by any person or organization that does not claim the right to strike.

### **Grievance Process [DGBA \(LOCAL\)](#)**

#### **Employee Complaint/Grievances**

##### **Guiding Principles/Informal Process**

The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level. Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent

##### **Direct Communication With Board Members**

Employees shall not be prohibited from communicating with Board members regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee. \_

##### **Formal Process**

If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. Mediation is available upon request. An employee whose concerns are resolved may withdraw a formal complaint at any time.

## Human Resources



The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

### Freedom From Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint. See DG at this link: [Policy DG](#)

### Notice To Employees

The principal of each campus and other supervisory personnel shall inform employees of this policy.

### Specific Complaints

For more information on how to proceed with complaints regarding:

1. Alleged discrimination, including violations of Title IX or Section 504. Go to this link and select DIA (LOCAL): [Policy DIA](#).
2. Instructional materials. Go to this link and select EFA (LOCAL): [Policy EFA](#).
3. A commissioned peace officer who is an employee of the District. Go to this link and select CKE (LOCAL): [Policy CKE](#)

### Other Review Processes

Complaints alleging certain forms of harassment, including harassment by a supervisor, shall be processed in accordance with DIA. Go to this link and select DIA (LOCAL): [Policy DIA](#).

Complaints arising from any of the following must be addressed through the local and statutory processes indicated below:

1. The proposed nonrenewal of a term contract issued under Chapter 21 of the Texas Education Code, in accordance with DFBB. Go to this link and select DFBB (LOCAL): [Policy DFBB](#).
2. The proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Texas Education Code during the contract term, in accordance with DFBA, DFCA, or DFCA, respectively. See policies at this link: [AISDPolicies](#)

### Jurisdictional Referral

Grievances shall be processed in accordance with provisions below, except where:

1. A group of employees without a common principal or immediate supervisor presents a grievance, or
2. The subject of the grievance is not within the jurisdiction of the principal or immediate supervisor, or
3. Both parties mutually agree to expedite the process for purposes of acting in a timely manner to resolve the complaint of the grievant.

In such cases, except those in item 1 above, the principal or immediate supervisor will refer the grievance to the Executive Director of Human Resources within three days of receipt of the grievance and shall reply to the grievant stating that the grievance has been referred to the Executive Director of Human Resources, who will then take one of the following actions:

1. Schedule a conference with the employee at Level One within ten days; or
2. Refer the grievance within three days to an appropriate administrator below the level of associate/assistant superintendent, who will schedule a conference with the employee at Level One within ten days of receipt of the referral.

If, in an exceptional situation, there is not an appropriate administrator below the associate/assistant superintendent level, refer the grievance to an associate/assistant superintendent within three days of the grievance.

This policy shall apply to all other employee complaints.



## Definitions

For purposes of this policy, terms are defined as follows:

### Complaint/Grievance

The terms “complaint” and “grievance” shall have the same meaning. A complaint under this policy may include:

1. Grievances concerning an employee’s wages, hours, or conditions of work;
2. Specific allegations of unlawful discrimination in employment based on the employee’s sex, race, religion, national origin, age, or disability;
3. Specific allegations of unlawful discrimination or retaliation based on the employee’s exercise of legally protected rights; or
4. Specific allegations of adverse personnel action based on the employee’s good faith report to an appropriate law enforcement authority of a violation of a law by the District or a District employee, i.e., “whistleblower complaints.” See DG at this link: [Policy DG](#)

### Filing

Complaint forms and appeal notices may be filed by hand-delivery, fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked by U.S. Mail on the deadline and received by the appropriate administrator or designee representative no more than three days after the deadline.

### Response

At Levels One, Two, and Three, “response” shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee’s e-mail address of record, or sent by U.S. Mail to the employee’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on the deadline and received by the employee or designated representative no more than three days after the response deadline.

### Days

“Days” shall mean District business days. In calculating time lines under this policy, the day a document is filed is “day zero,” and all deadlines shall be determined by counting the following day as “day one.”

### Representative

“Representative” means any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.

### Designation of Representative

The employee may designate a representative through written notice to the District at any level of this process. If the employee designates a representative with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.

### Whistleblower Complaints

Whistleblower complaints shall be filed within the time specified by law. Such complaints shall first be filed in accordance with LEVEL THREE, below. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 days of the initiation of the complaint.

### General Provisions

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.



### **Untimely Filings**

All time limits shall be strictly followed unless modified by mutual written consent. If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

### **Costs Incurred**

Each party shall pay its own costs incurred in the course of the complaint.

### **Complaint Form**

Complaints under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted unless the employee did not know the documents existed before the Level One conference.

A complaint form that is incomplete in any material aspect may be dismissed, but may be refiled with all the requested information if the refiled is within the designated time for filing a complaint.

### **Complaints Against Supervisors**

Complaints alleging a supervisor's violation of law may be made to the next level supervisor. A complaint alleging a violation of law by the Superintendent may be made directly to the Board beginning at Level Four.

### **LEVEL ONE**

Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.
3. In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.
4. If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Three following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall hold a conference with the employee within ten days after receipt of the written complaint.

The administrator shall have ten days following the conference to provide the employee a written response.

### **LEVEL TWO**

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the appropriate associate superintendent or with that person's designee, who must be an administrator in a supervisory relationship to the Level One respondent, to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level One.



## Human Resources



The associate superintendent or designee shall hold a conference within ten days after the written request is filed. At the conference, the associate superintendent or designee shall consider only the issues and documents presented at Level One and identified in the Level Two appeal notice. The associate superintendent or designee shall have ten days following the conference to provide the employee a written response.

### **LEVEL THREE**

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level Two decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level Two.

The Superintendent or designee shall hold a conference within ten days after the written request is filed. At the conference, the Superintendent or designee shall consider only the issues and documents presented at Level One and identified in the Level Three appeal notice. The Superintendent or designee shall have ten days following the conference to provide the employee a written response.

### **LEVEL FOUR**

If the employee did not receive the relief requested at Level Three or if the time for a response has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level Three.

The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board with copies of the complaint form, all responses, all appeal notices, and all written documentation previously submitted by the employee or the administration. The Board shall consider only those issues and documents presented at the preceding levels and identified in the appeal notice.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. Go to this link and select Policy BE (**LOCAL**): [Policy BE](#)

The presiding officer may set reasonable time limits and guidelines for the presentation. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Four presentation. The Level Four presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Three.

### **Employee Mediation**

Mediation is a process in which an impartial third party, the mediator, assists parties involved in a conflict or dispute reach resolution and/or agreement. To be successful, all participants must be willing to participate in a good faith effort to reach a resolution which meets the needs and interests of all involved. Employees who find themselves involved in a workplace conflict may request a mediation through the Office of Employee Relations. If the Office of Employee Relations determines the situation is appropriate for mediation and all parties are willing to participate, a mediation will be scheduled.



## Human Resources



### **Employee Liability**

An employee is generally not personally liable, under state law, for actions taken within the scope of employment that involve the exercise of judgment or discretion, except in circumstances where, in disciplining a student, the employee uses excessive force or the employee's negligence results in injury to the student or the student is injured while being transported by the District (inclusive of its employees) in a motor vehicle (e.g. bus, car or van).

### **Service of Civil Process and Subpoenas**

The Superintendent or a designee is designated as the proper party to accept service of process or service of subpoenas involving the District or any District officers or employees acting in their official capacity. All other District employees and officers shall decline to accept service of process or subpoenas and shall direct any officer attempting to serve such process or subpoena to the Superintendent or the designee.

### **Employee Organizations**

An employee has the right to join or refuse to join any professional association or organization. An employee's participation in an employee organization shall be entirely voluntary and shall not:

1. Interfere with the employee's performance of assigned duties and responsibilities.
2. Result in any political or social pressure being placed on students, parents, or staff.
3. Involve trading on the employee's position or title with the District.  
Go to this link and select DGA (**LOCAL**): [Policy DGA](#).

### **Political Activity**

Employees should not show preferences for certain candidates through conversation with students, by wearing buttons, ribbons, or other paraphernalia, or in any other manner during school hours.

No partisan clubs will be organized during school or work hours, or meet in the school building or under the sponsorship of school personnel.

Political campaign materials shall not be distributed through school mail. Teachers may participate in political affairs outside duty hours.

### **Religious Observances**

The District shall reasonably accommodate an employee's request to be absent from duty in order to participate in religious observances and practices, so long as it does not cause undue hardship on the conduct of District business. Such absence shall be without pay unless applicable paid local leave is available. 42 U.S.C. 2000e(j), 2000e-2(a); Ansonia Bd. Of Educ. V. Philbrook, 479 U.S. 60, 107 S.Ct. 367 (1986); Pinsker v. Joint Dist. No. 28J of Adams and Arapahoe Counties, 735 F.2d 388 (10<sup>th</sup> Cir. 1984).



## Salary Issues

### Overtime/Compensatory Time

A nonexempt employee must have the approval of his or her supervisor before working beyond his/her normal work schedule. An employee who works beyond his/her normal work schedule without prior approval must be compensated in accordance with federal wage and hour laws, but is subject to the District discipline process.

Nonexempt employees are paid on an hourly basis and shall be compensated for all hours worked. Nonexempt employees will be compensated for overtime, defined as any time physically worked beyond 40 hours in a work week.

- Overtime is not measured by the number of hours worked in a day.
- Overtime is not measured by time worked beyond the employee's normal work schedule. For example, if an employee normally works 20 hours/week, then any additional hours worked beyond 20 hours up to 40 hours will be paid at straight time.
- In order to qualify for overtime pay, an employee must first physically work 40 hours in a workweek. Then, any time physically worked beyond 40 hours will qualify for overtime. For example, if an employee normally works 40 hours/week, but takes one day of paid leave (due to holiday, illness, etc.), then the employee has physically worked only 32 hours in that week. Any additional time physically worked beyond 32 hours up to 40 hours will be paid at straight time. Any additional time physically worked beyond 40 hours will be paid at the overtime rate.
- An employee who qualifies for the overtime rate is compensated at one and one-half (1.5) times the employee's regular rate of pay, or by time and one-half in earned compensatory time.
- For purposes of FLSA compliance, the workweek for District employees is defined as 12:00 a.m. Saturday through 11:59 p.m. Friday.

Either the supervisor or the employee shall have the option to choose monetary payment for overtime rather than compensatory time. The decision to either pay for overtime or accrue compensatory time shall be made and communicated in advance of any overtime being worked.

Compensatory time earned by nonexempt employees may not accumulate beyond a maximum of 60 hours. If an employee has a balance of more than 60 hours of overtime, the employee will be required to take compensatory time or, at the District's option, will be paid for the excess compensatory time above and beyond 60 hours.

Compensatory time shall be used within 60 workdays from when it is earned. If an employee carries compensatory time for more than 60 workdays, the employee will be required to take compensatory time that has not been used within 60 workdays, or at the District's option, will be paid for the excess compensatory time not used within 60 workdays. Use of compensatory time may be at the employee's request or as determined by the employee's supervisor to protect the District's schedule and activities. Go to this link and select DEA(**LOCAL**): [Policy DEA](#)

### Establishing Proper Credit for Salary Placement Purposes

#### Service Records

It is the responsibility of the employee to request an original service record from all past employers to certify job related experience that may be used for salary placement purposes. Official Service Record forms can be found on the Texas Education Agency website along with Verification Forms to support College, Out of State and Out of Country experience. Service Record forms and Verification forms must be completed by the former employer according to TEA guidelines in order to receive service credit. According to the Commissioner Rules for Credible Service, the employee must have worked 90 full time days from July 1-June 30 of any given year to receive credit. Out of country experience requires both an original Service Record and a Verification Form with proper signatures and seals in order to be accepted. An incomplete service record cannot be accepted for experience credit.

Employees who have experience with a private employer, private school, or college or university, should call Human Resources to request additional forms that must either accompany the service record or be used in place of the standard service record.



## **Education and Experience Credit**

Most employees are paid based only on verified education (official transcripts) and prior creditable work experience (properly completed service records). An employee is credited with education and/or experience only after the proper documents are received in the Office of Human Resources. Receipt of these documents may or may not cause a corresponding change in salary.

## **Timing of Salary Changes**

### **Teachers/Professionals**

For a teacher/professional employee, if creditable experience or education was earned prior to the beginning of the current school year and proper documentation would result in a change in salary, the employee will be paid retroactive to the beginning of the assignment in the school year when the documentation is received. If the attainment of a higher degree occurred during the current school year and would result in a change in salary, the employee will be paid retroactive to the date the degree was conferred.

### **Classified Employees**

For a classified employee, if the receipt of proper documentation causes a change in salary, the employee will be paid retroactive to the date that the employee began working in a new job category (\*), but only if the documentation is received within the first 135 calendar days after the employee began working in the job category. Salary changes to monthly employees for documentation received after 135 days will take effect on the first duty day of the month the documentation was received. Changes for biweekly employees will take effect on the first day of the pay payroll period the documentation is received.

- \* A "job category" includes all classified positions in AISD that require the same basic type of experience to meet the minimum qualifications. For example, a clerk and a secretary both require the same basic type of experience to meet the minimum qualifications and are in the same job category. Contact the Office of Human Resources for further information on this issue.

### **Salary Credit on the Teacher/Professional Salary Scale for Service as a Substitute Teacher**

Employees who served as a fully certified teacher may be eligible to earn creditable service as a substitute teacher. The educator must have worked in a public school district and held a valid teaching certificate at the time of service. If eligible, this experience may apply for salary placement credit on the teacher/professional salary scale. Employees must typically make a special request to the school district to research experience as a certified teacher. An incomplete service record cannot be accepted for experience credit and is subject to the same TEA guidelines applied to a Teacher/Professional. Typically, a substitute must work from 85 to 90 full time days from July 1-June 30 of any given year, in order to receive credit.

### **Salary Credit on the Teacher/Professional Salary Scale for Service as a Teacher Assistant**

Under certain circumstances, up to two years of creditable experience gained as a Teacher Assistant in a Texas public school district may be used for salary placement credit on the teacher/professional salary scale. Specific guidelines can be found on the Texas Education Agency website or by contacting Human Resources for more information.

### **Salary Credit on the Teacher/Professional Salary Scale for Military Service**

Under certain circumstances, up to four years of experience with the military forces of the United States may be counted for salary placement credit on the teacher/professional salary scale. To qualify for this credit, the employee must have worked in a professional position by an entity recognized for years of service within twelve (12) months of entering active military duty. Entities recognized by years of service can be found in Subsection CC. Commissioner Rules on Credible Years of Service (TEA Website). Other conditions also apply. In order for AISD to consider military service credit the employee must notify Human Resources of military duty and provide a copy of the military form DD-214.



### **Payroll**

The annual salary of a professional employee, administrative and monthly paid classified employee is paid in 12 monthly payments. This is intended to provide continuous, year round income for all monthly employees, including those on a 10 or 11- month work schedule.

When an employee is newly hired after the standard start date for a position or has a salary change for any reason during the year, the remaining salary owed to the employee will be determined and will be spread over the remaining pay dates. At the beginning of the following school year, the employee's monthly salary will be recalculated to distribute the employee's full annual salary over 12 monthly payments. This recalculation may cause the employee's monthly salary for the new year to be either higher or lower than it was during the remainder of the previous year.

An employee's final check for the school year will be based on multiplying the number of days actually worked during the year by the employee's daily rate of pay and subtracting any amount previously paid.

Depending on the annual start date of the position, an employee's 12-month pay cycle runs from either "July through June" or "August through July." However, employees who start work after the payroll closing date for the month in which they begin will receive their first paycheck on the following month's scheduled payday.

Bi-weekly employees are paid at an hourly rate every two weeks for actual hours reported through the designated payroll closing date. Bi-weekly paid employees not working during the summer will not receive checks in the summer.

Hourly employees (other than bi-weekly) are paid at their hourly rate for actual hours reported through the designated payroll closing date on the monthly scheduled payday.

Substitute employees are paid for time reported to the payroll office by the designated closing date on the monthly scheduled payday.

Monthly payrolls are closed and submitted to the Finance Office approximately two weeks before each monthly scheduled payday. Bi-weekly payrolls are closed and submitted to the Finance Office weekly and processed every two weeks.

### **Method of Payment: Direct Deposit or Pay Card**

All AISD employees must sign up for either:

1. Direct Deposit, or
2. a Pay Card account.

Live paper checks are no longer issued in Austin ISD.

An employee may access his/her personal check stub via a secure, online location called the AISD Cloud Staff Portal. The log-in name and password that is issued to each employee for computer access will also be used to access the AISD Cloud Staff Portal. To view a check stub after entering the AISD Cloud Staff Portal, click on the Search field and type "BOLT-Pay" and an icon titled "BOLT – Pay Stubs & Docs" appears, Click on it to access your paystubs.

You can access the AISD Cloud from your desktop at work or by typing in <http://my.austinisd.org/> on your browser from any computer. You will use your Network ID and Password to sign in.

Employee Supplemental Pay Detail for each Pay Date is now available on the Cloud (<http://austinisd.org>). You may view detail supplemental lines by searching the Pay Date. Click on the search field and type "Supplemental" and an icon titled "My Supplemental Time By Check Date" appears. Click on it to access your paystubs.

Contact the Payroll Office at 414-1734 for further information and the necessary forms.



### **Payroll Check Errors**

It is the district's intention to always issue correct paychecks and to only deduct amounts that are authorized by law or by the employee's written authorization. Employees should promptly notify the district immediately of any error on the employee's paycheck.

Errors should be discussed with the employee's supervisor prior to contacting the Payroll office. The supervisor, if appropriate, will contact the Payroll office to schedule a time to discuss the error and solution, if needed, to correct the problem. Employees who are paid less than the amount to which they are entitled will receive additional funds to correct the shortage.

Employees who are paid more than the amount to which they are entitled must reimburse the district for the amount of the overpayment. Austin ISD will make corrections due to check errors on the next paycheck following discovery of the error where possible.

### **Eligibility for Benefits**

For all questions regarding employee benefits please call the AISD Benefits Department at 512-414-1739.

In order to be eligible for any benefits from AISD, an individual must be considered a regular employee working at least 20 hours per week in a permanent position.

### **Employee Benefits**

In order to participate in health, life and cafeteria plans, enrollment must be completed on-line within 31 days of 1st day worked. Contact the AISD Benefits Office for on-line enrollment instructions. Failure to do so will result in forfeiture of health/life coverage for the plan year.

### **Benefits Enrollment**

Austin ISD's open enrollment period to select or change benefits is the month of October of each calendar year. With the exception of a Life Changing Event, October is the only time an employee can enroll in or make changes to their benefits. A Life Changing Event (also known as a Qualifying Event) can occur at any time of the year and involves a status change that affects an employee or their dependents' eligibility under Austin ISD's benefit plans. Examples of Life Changing Events include a newly hired employee, a marriage or divorce, a birth, a death, return from a leave of absence or a spouse's loss of coverage under a non-AISD offered plan. If there is a question in this regard contact the AISD Benefits Department for clarification. When a Life Changing Event occurs an employee has 31 days to enact an allowed change to their benefits.

After 31 days the employee must wait until the Open Enrollment period to make any changes.

### **Health, Basic Life, Optional Life and Short Term Disability**

Participation in the health, life and short term disability insurance plans is optional. AISD pays for the employee's \$10,000 Basic Life Policy and contributes a designated amount each month towards health coverage. The employee may choose to purchase health coverage for spouse and/or dependents. Premiums are paid by payroll deduction.

Information is provided to each employee during the annual open-enrollment period. Changes to a health care plan may be made at that time.

### **Flexible Benefits and Supplemental Benefits**

AISD contracts with a Third Party Administrator (TPA) to manage and administer the District's cafeteria plan. A cafeteria plan, also known as flexible benefits, is an option to claim a reduction in taxable gross pay. Premiums are paid by payroll deduction.

The optional products include dental, vision, dependent care reimbursement, medical expense reimbursement, and health savings account. Open enrollment for these options occurs annually and must be completed online. Specific questions should be directed to the District's TPA (call the Benefits office for details).



### **COBRA**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives workers who lose their health benefits the right to temporarily keep the group health benefits provided by their group health plan under certain circumstances, such as job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. When any of the above conditions occurs, the District's Third Party Administrator (TPA) will send the person who is about to lose health insurance written notice of his or her COBRA rights. The written notice will explain the COBRA filing time limits, coverage options, filing procedures and costs.

### **Salary Schedules**

Teacher/Librarian and Counselor Salary Schedules can be found on the Austin ISD Website in the Human Resource section of the website or on the [AISD Online Library](#). Salary schedules are available in the Office of Human Resources upon request.

### **Supplemental Pay**

Supplemental pay may be approved for assignments within district guidelines during the regular school year. The district guidelines for receiving supplemental pay and the salary schedule for supplemental pay activities is available in the Office of Human Resources. Supplemental time records must be submitted through BOLT Workforce Manager, AISD's time and attendance system, either by the employee or timekeeper at the campus or department. The appropriate Activity Code and Hourly Rate associated with the actual task the employee is performing must be used. A waiver to submit a paper Supplemental Pay Form in lieu of an electronic submission must be approved by Human Resources prior to submission.

### **Summer Pay**

Employees may be approved to work in summer programs outside of the normal duty period. All summer employees are paid on an hourly basis. The summer salary schedule is available on the [AISD Online Library](#). Employees who are not normally eligible for benefits are likewise not eligible for benefits while working in summer programs.

### **Stipends**

The Stipend Schedule list for employees performing approved extra-duty activities can be found on the [AISD Online Library](#)

### **Purchases/Reimbursements**

All purchase commitments shall be made by the Superintendent, CFO, or their designees. Please refer to District Policies, including but not limited to CH, and the Contract and Procurement website for the administrative procedures.

An employee shall not make or authorize separate, sequential, or component purchases to avoid the purchasing requirements (Ref: Policy CH Legal). No employee other than the Superintendent, CFO, or their designees shall be authorized to sign contracts that obligate the District.

Employees are not authorized to make a purchase using their personal funds and expect to be reimbursed by the District. Authorized methods of purchase are: purchase order; purchasing card, and HEB card.

### **Local Travel Reimbursements**

Reimbursements for local travel in a personal vehicle should be requested on the "Local Travel Reimbursement" form and sent to the AISD Finance Office. Check with a supervisor to determine reimbursement eligibility. Alternatively, a monthly travel reimbursement stipend may be paid to employees who are required to use a personal vehicle for travel in the local area on a regular basis. The amount of payment depends on the anticipated number of miles to be traveled each month.



### **Out-of-District Travel Reimbursements**

Any travel advances should be requested on the "Pre-Travel Authorization/Advance Request form and forwarded to the Finance Office at least two weeks before the travel date with all required approvals. Travel arrangements are generally made through an AISD designated travel agency. Please contact the AISD Finance Office for information about the current designated travel agency. After the trip is completed a "Final Travel Expense Report" with original

itemized receipts must be submitted to the Finance Office within 10 work days of completion of travel. If the traveler fails to file a Final Travel Expense Report accounting for any outstanding travel advance or charges on their District American Express Travel Card within this 10 work day period after returning from the travel event, the traveler will not be eligible for further advances or use of their District Travel Card until all delinquent Final Travel Expense Reports are received. If an outstanding advance balance must be collected through payroll deduction, the traveler may be subject to loss of their travel card/advance privileges. See the Travel Procedures which can be found in the Financial Services online library.

### **Tax Deferred Retirement Plans**

Participation in the tax sheltered annuity program is optional. When properly authorized by the employee, contributions will be made to the program by payroll deductions. Austin Independent School District allows all employees the opportunity to participate in Section 403(b) Tax-deferred Retirement Plan. This includes full-time and part-time positions. Contact your agent, or the AISD Benefits Department for more information. The District also offers a 457(b) Tax-deferred compensation Retirement plan. Contact the district TPA or the AISD Benefits Department for details.

### **Payroll Deductions**

If you are eligible and work year round, you will have 12 deductions for flexible benefit products. If you are paid on the bi-weekly payroll and on the nine-month calendar, your annual premiums will be withheld in nine deductions. If you are unsure of your job classification, contact the AISD Benefits Department.

Payroll deduction information for US Savings Bonds is available through Treasury Direct. Deductions are available for professional dues (information available from professional organization). Deductions are also available for A+ Federal Credit Union (information available from A+FCU) and Charitable Funds Inc. (Information available from AISD during annual fund drive).

### **Wage Garnishments**

AISD must receive documents directly from government agencies before payroll deductions are started or stopped for wage garnishments, such as child support, bankruptcy, or student loans.

### **Teacher Retirement**

There is no mandatory retirement age for employees in the District. If you are planning to retire, you should contact the AISD Benefits Office (414-1739), the Teacher Retirement System (542-6400) and the AISD Office of Human

Resources (414-1721) for professional and (414-1412) for classified within a reasonable time before the date you plan to retire.

By law, any employee who is non-certified and works at least 15 hours per week or who is certified and works 20 or more hours per week will have 7.05% of the gross TRS eligible salary deducted each month for TRS membership and TRS retiree insurance in the Texas Teacher Retirement System.

Each year, statements are sent from Teacher Retirement System of Texas indicating account balances. Inquiries concerning TRS benefits should be directed to their office at 1-800-223-8778, (512) 542-6400, or <http://www.trs.state.tx.us/>

(\*7.05% is the current rate at time of printing. This rate is subject to be changed by state legislation.)

### **Income Tax Withholding**

By law, Federal Income Tax is withheld from each paycheck based on an employee's W4 form and federal withholding tax rates. The amount withheld is determined by application of the current tax withholding tables.



### **Social Security**

Contributions to Social Security coverage for employees eligible to participate in Social Security are made by salary deductions.

### **Texas Medical Assistance Program Required Employee Notification**

The District provides School Health and Related Services (SHARS) to Special Education students. Any district employee may have opportunities to observe situations that could result in state and federal funds being inappropriately billed for services provided.

AISD is required to educate employees, contractors, and agents about federal and state fraud and false claims laws, and the whistleblower protections available under those laws. Please reference District policy CAA(Legal), CAA(Local) and CAA(Regulation).

As a condition of participation in the Texas Medical Assistance Program, AISD is governed by Section 6032 of the Deficit Reduction Act (DRA) 2005. This section is known as "Employee Education About False Claims Recovery," and is codified as Section 1902 (a)(68) of the Social Security Act.

..."the False Claims Act imposes liability on any person who submits a claim to the federal government that he or she knows (or should know) is false. An example may be a physician who submits a bill to Medicare for medical services she knows she has not provided. The False Claims Act also imposes liability on an individual who may knowingly submit a false record in order to obtain payment from the government. An example of this may include a government contractor who submits records that he knows (or should know) are false and that indicate compliance with certain contractual or regulatory requirements. The third area of liability includes those instances in which someone may obtain money from the federal government to which he may not be entitled, and then uses false statements or records in order to retain the money. An example of this so-called "reverse false claim" may include a hospital that obtains interim payments from Medicare throughout the year, and then knowingly files a false cost report at the end of the year in order to avoid making a refund to the Medicare program"

Source: <http://downloads.cms.gov/cmsgov/archived-downloads/SMDL/downloads/SMD032207Att2.pdf>

### **Whistleblower Protection**

The Texas Medicaid Fraud Prevention Act allows whistleblowers to bring suit on behalf of the State of Texas where a wrongdoer engages in conduct that defrauds the state or local government of its healthcare dollars. This statute is designed to address Medicaid fraud. (Texas Human Resources Code, Chapter 32 Medical Assistance Program, and Subchapter B Administrative Provisions: "Damages and Penalties")

Source: [HUMAN RESOURCES CODE CHAPTER 32. MEDICAL ASSISTANCE PROGRAM](#)



## Health, Safety and Security



### Employee IDs

All employees are provided a photo ID card which should be worn at all times. Some AISD facilities utilize card access for entry.

### Visitors in the Workplace

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's office or contact the administrator in charge.

### Field Trips and Parent Consent

Before taking students on a bus or auto trip away from the school, be certain that you follow the District's procedures regarding Parental Approval and, where applicable, personal vehicle use and driver requirements. If you have any questions regarding field trips and student transportation, consult with the General Counsel's office at 512-414-1706.

### Accidents Involving Students or School Personnel

#### What do you do?

These are the suggested steps you should follow when a student or school employee has an accident or is injured.

For minor, but significant accidents or injuries:

- Administer first aid by school nurse, Quick Care chart, or utilizing trained staff members.
- Inform parent. School nurse will advise on home care or referral to a doctor.
- Fill out the student accident reporting form. Apply first aid and life-sustaining techniques utilizing school nurse and other trained persons on staff.
- If life threatening, call 911 (adult accompanies student). Otherwise, the AISD Police (414-1703) will notify associate superintendent and other District personnel as needed.
- Call parent or guardian immediately, or, if necessary, a sibling, neighbor, or relative.
- Fill out the student accident reporting form.

For an Employee accident or injury follow the Worker Compensation Claim filing procedures.

#### What about accidents that occur going to and from school?

- If EMS is not on the way, these are actions to consider: If life threatening, call 911. Otherwise, call AISD Police, 414-1703; they, in turn will notify the Associate Superintendent/Service Facilitation Team/Health Services as needed. Notify parents, spouse, or closest relative or neighbor.
- If EMS is on the way, consider: If not reached earlier, continue to try to notify parents, spouse, or closest relative or neighbor. If parents, spouse, or closest relatives are unavailable, discuss situation with an associate at the place of employment of the parent, guardian, spouse or closest relative.
- Fill out the student accident reporting form. For an Employee accident or injury follow the Worker Compensation Claim filing procedures.
- Before taking students on a bus or auto trip away from the school, be certain that you follow the District's procedures regarding Parental Approval and, where applicable, personal vehicle use and driver requirements. If you have any questions regarding field trips and student transportation, consult with the General Counsel's office at 512-414-1706.

### First Aid, CPR, and AED Certification

Nurses, physical education teachers, marching band directors, coaches, athletic trainers, or sponsors of an extracurricular athletic activity (including cheerleading) that is sponsored or sanctioned by the District or University Interscholastic League (UIL) must maintain and submit to the District proof of current certification in first aid, cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED). Certification must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification.

## Health, Safety and Security



### Job Safety

The district desires a safe and healthy work environment for all employees and students. Each campus has a designated "Campus Safety Coordinator."

Important resources on each campus include the *School Safety and Emergency Resource Manual*, the *Emergency Operations Plan*, *AISD Employee Safety Manuals*, *Quick Care Charts*, and the *AISD Campus Reference Guide for Critical Incidents*. All employees should have access to these items. Although it contains some excellent information please note the Resource Manual referenced above has been in circulation for many years. If you have any questions regarding these updates please contact the AISD Police Department Emergency Management Bureau at 414-1703.

### Accidents and Accident Prevention

All employees are responsible for helping to prevent accidents. You can help protect yourself on the job by learning the safest way to perform your job duties. If you do not think you know the safest way to do part of your job, ask your supervisor.

Keep the following suggestions in mind:

- Be aware of your surroundings. Correct unsafe acts and conditions that you know about. If you cannot correct an unsafe situation by yourself, talk to your supervisor about it.
- Concentrate on doing your job safely.
- Report dangerous or hazardous areas such as broken windows, slippery floors, or defective equipment.
- Handle all chemicals and hazardous materials safely. (Refer to the appropriate Materials Safety Data Sheet (MSDS). If your job requires the handling or exposure to hazardous materials, attend a District sponsored HAZCOM training session. Check with your supervisor to schedule attendance at a training session. All campuses and district facilities that have hazardous materials on the premises must maintain a current and up-to-date listing of all Material Safety Data Sheets (MSDS) for all hazardous materials present. This listing should be kept in the same hazardous storage area and be readily available upon request.
- Use the proper prescribed personal protection equipment required to complete each job safely. (See MSDS or operating manual)
- Read instructions before using equipment or operating machinery.
- Know the emergency numbers in the district and observe district policy regarding emergency procedures. (Refer to Campus Emergency Operations Plan and Procedures for your campus.)

The *AISD Employee Safety Manuals* available on each campus describe such specific topics as "Lifting and Handling Techniques," "Electrical Safety," "Ladder Safety," "Slip/Fall Prevention," "Driver Safety," "Emergency Procedures," "Bloodborne Pathogen Safety," "Basic First-Aid Procedures," and "Portable Fire Extinguishers."

Specific manuals relating to particular job environments are available for administrative/instructional, food service, maintenance, custodial, and transportation employees.

For immediate care required in case of accident or injury, see the AISD Health Service *Quick Care* reference for school personnel.

The AISD Emergency Management Bureau regularly issues information about safety. If you have questions regarding safety, speak with your campus safety coordinator, faculty, administrator, or call the AISD Emergency Management Bureau at 414-1703.

### Bloodborne Pathogen Safety

For your own protection when you give first aid to a person who is ill or injured, remember all bodily fluids should be considered infectious.

## Health, Safety and Security



General guidelines to follow include:

### Avoid contact

- Allow the injured party to tend to his/her own injury, if possible.
- Allow him/her to dispose of contaminated material appropriately.
- Do not eat, drink, or apply cosmetics/lip balm in areas that might be exposed to blood or other potentially infectious materials (OPIM).
- Do not store foods or drink anywhere blood or OPIM are present.
- Use a mouthpiece, resuscitation bag, pocket mask, or other ventilation device when giving rescue breathing.

### Protect yourself

- Wear latex gloves when in contact with blood or OPIM.
- Pick up items that could puncture gloves with tongs, forceps, or brush & dustpan.
- If exposure to human bite is a possibility, wear long sleeves or other protective clothing.

### Clean up afterward

- Wash hands with water and soap, dry with single-use towels or hot-air drying machine after contact with blood or OPIM.
- If unable to wash your hands immediately, clean them with an antiseptic towelette or hand cleaner.
- Sanitize areas exposed to blood or OPIM with a bleach/water mixture.

Report any exposure to your supervisor.

### Bad Weather Closing

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 open late or to release students early, the following radio and television stations will be notified by school officials:

KTBC-FOX 7	KXAN-NBC 36	Channel 22 AISD (Time Warner)
KVUE-ABC 24	KEYE-CBS 42	KLBJ 590 AM KASE 100.7

Closing or other emergency information will also be posted on the District's website.

### Campus Emergency Operations Plan

The principal/site manager is responsible for developing, revising and training staff on an Emergency Operations Plan for each school or facility. In the plan, duties and responsibilities should be assigned and the procedures established for employees in the building in the event of natural or man-made crises. Evacuation, reverse evacuation, lockdown, and shelter-in-place drills and exercises should be held regularly.

If you have questions regarding emergency management, speak with your campus safety coordinator, faculty administrator, or call the AISD Emergency Management Bureau at 414-0713.

### Student Discipline

#### Policies in the FN series and FO series

Students are expected to follow the classroom rules, campus rules, and rules listed in the Student Handbook and 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 classroom teacher or campus principal.



### **After Hours Access to School Buildings**

Staff members must obtain prior written approval from the principal at least *three* workdays in advance of any day they need to be in the building after hours. Once the school principal has given this approval, the school administrative staff needs to notify the AISD Police at least *two* workdays before the specified date. Separate approval must be obtained for each date the employee needs access to the building.

Applications for use of school facilities must be approved by the building principal. School facilities will not be available for commercial purposes. No activity can be approved which has as its purpose profit or gains to the individual or groups involved.

### **Police: Who to Call?**

Anytime a criminal violation is suspected, the AISD Campus Police should be called at 414-1703. If a life-threatening situation occurs, the school should immediately call 911.

### **Pest Control Treatment**

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by 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. Notices are generally located at the facility, at the school, or at the grounds that are scheduled for treatment. Pest control information sheets are available from campus principals or facility managers upon request.

## Instructional Materials

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Instructional materials, whether purchased or donated, from any source of funding, are the property of the Austin ISD and shall be maintained within the Instructional Material and Equipment Management System.

Books, other than electronic textbooks, must be covered by the student under the direction of the teacher. Books must be returned to the teacher at the end of the school year or when the student withdraws from school, *Education Code 31.104(c)*. The Board may not require an employee of the District to pay for a textbook or instructional technology that is stolen, misplaced or not returned by a student. *Education Code 31.104(e)*.

The District shall conduct an annual physical inventory of all currently adopted instructional materials that have been requisitioned by and delivered to the District. The results of the inventory shall be recorded in the District's files. Reimbursement and/or replacement shall be made for all instructional materials determined to be lost. *19 TAC 66.104(a)*. Please consult your local campus coordinator regarding procedures for proper inventory of textbooks assigned to teachers and students.

The principal has been designated as the custodian of all state textbooks in the building and is responsible to the District Instructional Material Coordinator for issuing and collecting, caring for, and accurately accounting for all textbooks.



### **Regional XIII Service Center**

The Educational Service Center, Region XIII provides training to any school employee. Catalogs are distributed with a listing of current training options.

Region XIII also has a graphics lab open to District employees. Call 929-1313 for more information

### **Office of Educator Quality – Professional Development**

AISD's mission is to provide a comprehensive educational experience that is high quality, challenging, and inspires all students to make a positive contribution to society. In order to accomplish this mission and achieve our goals it is imperative that all district staff continuously learn and develop their capacity to serve our diverse students and their families by participating in effective professional/staff development aligned to the Learning Forward Standards for Professional Learning (2011) which focus on educator learning that relates to successful student learning.

Implementation of the district's curriculum is supported through on-going professional development with the expectation that all instructional staff (teachers, principals, support) engage in the professional development needed/required to successfully deliver the curriculum to all students, including district and campus professional development. Professional development days designated on the AISD calendar are duty days and participation by instructional staff on those days is required.

AISD's professional development is managed through the Human Capital Platform available to all employees through the AISD Cloud. The HCP provides a catalog of learning opportunities and maintains a transcript for each employee.

Additional information regarding professional development in AISD is available on the Educator Quality Professional Development page of the AISD website and in the Professional Development Guide provided there

### **Professional Development Center (PDC)**

AISD's Professional Development Center (PDC) is located on the third floor of the Baker Campus, 3908 Avenue B, Austin, 78751 and can be reached at 512-414-3976. The PDC is comprised of seven classrooms and three computer labs. These facilities are available for use by AISD groups providing professional development for AISD staff as well as for meetings. The PDC Office is open Monday through Friday, 8:00 a.m. to 5:00 p.m.

### **Media Services Center**

The Media Services center is located at 2206 Prather Ln. The phone number is 414-4921.

Media Service Center at 3808 Keats Drive on the Ann Richards Campus, has a graphics lab open to District Employees where you can make posters, print, laminate, and die-cut.

### **Employee Assistance Program**

One of the benefits provided by AISD to all benefits-eligible employees and their families is the Employee Assistance Program (EAP). Among the many services offered by EAP is its free and confidential 24/7/365 phone counseling and its one-on-one short term counseling for most all personal and professional issues experienced by employees. Examples include stress and burnout; work issues; career counseling; unexpected or chronic injury or illness; grief and loss; parenting issues; relationship issues; separation and divorce; stress management; addiction and substance abuse; depression and anxiety; and, legal or financial issues. All contact information and services offered by EAP are set out at its webpage found at <http://www.austinsd.org/eap>.

## Employee Organizations



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### **Employee Organizations**

An employee has the right to join or refuse to join any professional association or organization. An employee's participation in an employee organization shall be entirely voluntary and shall not interfere with the employee's performance of assigned duties and responsibilities. Go to this link and select Policy DGA(**LOCAL**): [Policy DGA](#)