



Updates to this information may be found online at:  
<http://www.fwisd.org/hcm/Documents/employee>

# Employee Handbook

**NOTE:** In the event of any discrepancy between policy information provided online or in this Orientation attendee handbook, Board Policy will govern.

**\*NOTE:** Full-time FWISD employees become members of the Teacher Retirement System of Texas and retire through TRS rather than Social Security. If you have questions about the effect this may have on your retirement income, you are encouraged to call the Social Security Office 1-800-772-1213 or visit [www.socialsecurity.gov](http://www.socialsecurity.gov)

September 2015



100 N. University Dr./Fort Worth, Texas 76107-1360/ Telephone: 817-814-2720

Dear FWISD Employee:

This Employee Handbook has been prepared for your use and future reference and is intended to give you a brief summary or overview of some of the District's most important policies, procedures, and guidelines. It will not cover all policies, and for in-depth detail on anything referred to in the handbook, we refer you to the actual policies which are also online.

The focus of every FWISD employee needs to be on student achievement. Everything we do needs to prepare students for success in college, career, and community leadership. We are responsible for preparing students to assume economic, social, civic, and cultural responsibilities in a complex and changing society. To help us all in this endeavor, the Employee Handbook is updated frequently to keep up with policy changes made by the Board of Education.

If you have questions or concerns as the year progresses, please don't hesitate to ask for clarification on any FWISD policy or procedure contained in this handbook. You may contact your supervisor or other appropriate departments/administrators listed in this handbook under the title of "Helpful Contact," you may call the Office of Policy Development at (817) 814-1945; or you may call Human Capital Management at (817) 814-2717 and we will try to help you or point you in the right direction.

Best Wishes for a good year.

Sincerely,

A handwritten signature in black ink, appearing to read "Sammy Monge".

Sammy Monge  
Chief of Human Capital Management

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**It's very hard for an organization or an institution to achieve more than the leader can imagine. If you determine to run a five-minute mile, you'll never run a four-minute mile. The leader sets the conditions as to what it is we aspire to. It's not clear to me that you can create a process that will impact whatever the leader brings with him, in terms of his instinct of imagining what could be.**

*Paul O'Neill*

## **MOTTO**

Singleness of Purpose

## **MISSION**

Preparing students for success in college, career, and community leadership

## **VISION**

Igniting in every child a passion for learning

## **VALUES**

- Student achievement
- Stakeholder collaboration
- Leadership development
- Respect for diversity
- Equity in access
- Perseverance & commitment
- Continuous improvement

## **IMPORTANT INFORMATION**

In the event of a discrepancy between any information contained in our Orientation Booklet or in the online Employee Handbook and Board Policies, Board Policy will govern.

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful career with FWISD. Not all District policies and procedures are included, those that are have been summarized. Suggestions for additions and improvements to this handbook are welcomed and may be sent to the Assistant Superintendent of Human Capital Management, FWISD – Human Capital Management, 100 N. University Drive, Fort Worth, TX 76107.

This handbook is neither a contract nor a substitute for the official District policies; rather it is a guide to, and brief explanation of, these policies. The handbook is not intended to alter the at-will status of employees in any way. The rights and responsibilities of FWISD employees may be found in Section D, “Personnel Policies – Employee’s Rights and Privileges”. The rights and responsibilities of FWISD students may be found in Section F, “Students”. **District policies and procedures can change at any time.** 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. It is the employee’s responsibility to be knowledgeable of and adhere to District Policies, Procedures and Administrative Regulations.

Note #1: The Employee Handbook and District Policies are available on the district’s internet website: [www.fwisd.org](http://www.fwisd.org). Administrative Regulations are found in the Public Folders in the Microsoft Outlook email system.

Note #2: Legal and local board policies that relate to a particular topic are referenced in this Employee Handbook. Information on a subject may be found in local and/or legal policies. Additionally, each reference to a board policy has been linked so that employees can quickly go to the website for detailed information. The links take you to local policy first and to legal only if there is no local policy.

Any applicant or employee who knowingly gives false information on an application for employment shall be subject to disciplinary action, up to and including dismissal.

Any applicant or employee who knowingly falsifies, misrepresents, changes, alters, or revises any certification, transcript, diploma, any school district official document, or other instrument shall be subject to disciplinary action, up to and including termination of employment. (See DBA and DFBB Local).

# DISTRICT INFORMATION

## *Description of the District*

The Fort Worth ISD is a multi-ethnic, urban school district with 86,000 + students and 14,000 + employees. The district has 146 campuses that serve all levels from pre-kindergarten through 12<sup>th</sup> grade, including special populations.

### **Board of Education**

*Legal and/or Local Policies - BA, BAA, BBA, BBB, BBBA, BBC, BBD, BBE, BBF, BBFA, BBG, BDAA, BDAE, BDAF, BDB, BDD, BDE, BE, BEC, BED, BEF, BF*

Texas law grants the Board of Education the power to govern and oversee the management of the District's schools. The Board is the policy-making body within the District and has overall responsibility for the curriculum, school taxes, annual budget, employment of the Superintendent and other professional staff, facilities, and expansions. The Board has complete and final control over school matters within limits established by law and State Board of Education rules. Board members are elected by the citizens of the District to ensure a strong educational pro-gram for the District's children. Board members are elected from eight single-member districts and one at-large position and serve 4-year terms. Board members serve without compensation, must be registered voters, and must reside in the District from which they are elected.

All meetings are open to the public. In certain cases, Texas law permits the board to go into a closed session. Closed sessions may occur for such things as discussing prospective gifts or donations, real-property acquisitions, personnel issues including conferences with employees and employee complaints, security matters, student discipline, or to consult with attorneys regarding pending litigation.

### **Fort Worth ISD Board Members:**

**District 1:** Jacinto "Cinto" Ramos, Jr.

**District 2:** Tobi Jackson

**District 3:** Christene C. Moss

**District 4:** T.A. Sims, Sr.

**District 5:** Judy G. Needham

**District 6:** Ann Sutherland

**District 7:** Norman Robbins

**District 8:** Matthew Avila

**District 9:** Ashley Paz

**Administration:** Superintendent of Schools: Dr. Kent P. Scribner

**Deputy Superintendents:** Michael Sorum, *Deputy Superintendent*

**Chiefs:** Sherry Breed, *Chief of Leadership, Learning and Student Support Services*  
Vicki Burris, *Chief Capital Improvement Project*  
Art Cavazos, *Chief of District Operations*  
Kyle Davie, *Chief Technology & Information Officer*  
Sammy Monge, *Chief Human Capital Management*  
Elsie Schiro, *Chief Financial Officer, Business Finance*

**Assistant Superintendents:** Karen Molinar, *Learning Network 1*  
Margaret Balandran, *Learning Network 2*  
Cherie Washington, *Learning Network 3*

**Attorneys:** Valerie A. Carrillo, *Chief Legal Counsel*

### **Helpful Contacts:**

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed below:

Athletics	871-3270
Bilingual Placement Center	814-2410
Building and Grounds	740-3898
Business and Finance	814-2100
- Compensation	814-2080
- A thru L	814-2087
- M thru Z	814-2084
- Payroll	814-2180
- Records	814-2764
Communications	814-1930
Custodial Services	871-3235
Equity and Advocacy	814-2793
Early Childhood Education	814-2450
Learning Networks	
- Learning Network 1	814-2341
- Learning Network 2	814-2301
- Learning Network 3	814-2370
Guidance and Counseling	814-2900
Health Services	814-2990
Homebound/Hospital Program	298-3733
Human Capital Management	814-2717
- Central Calling Office/Substitute Calling System	814-2784/2783
- Certification	814-2774
- Employee Relations	814-2790
- Transactional Team	814-2716
Legal Services	814-1980
Maintenance, Operations, and Construction	871- 3300
- Maintenance - Emergency	871- 3304
Nutrition Services	814-3500
Office of Policy Development	814-1945
Office of Professional Standards	871-2886
Parent & Public Engagement	814-2980
Psychological Services	814-2820
Reading and Language Acquisition Programs	814-2500
ROTC Headquarters	871-3256
School and Community Relations	814-2981
Security and After- Hours	814-2680
Smart Find (Absences)	814-7827
Special Education	814-2830
Transportation	815-7900
Warehouse	871-3330
Wilkerson - Greines Activity Center	531-6348
Worker's Compensation	814-2250



# EMPLOYMENT

## ***Notice of Non-Discrimination***

The Fort Worth Independent School District does not discriminate on the basis of race, color, religion, national origin, sex, disability, sexual orientation, or age in its programs and activities. The following persons have been designated to handle inquiries regarding the non-discrimination policies: Rufino Mendoza, Title IX Coordinator/Director, Employee Relations, 100 North University Drive, Fort Worth, TX 76107 or call 817.814.2793. June Davis, ADA/Section 504 Coordinator Director of Special Programs, 100 North University Drive, Fort Worth, TX 76107 or call 817.814.2878

## ***Contract and Non-Contract Employment*** - *Legal and/or Local Policies – DC, DCA, DCB, DCC, DCD, DCE*

State law requires the District to employ full-time professional and administrative employees in positions requiring educator certification as well as nurses under a probationary, term, or continuing contract. Employees in all other positions are employed at-will. The paragraphs that follow provide a general description of the employment arrangements used by the District.

### ***Probationary Contracts:***

- Full-time teachers are hired on Probationary Contracts. The probationary period for *teachers who have been employed in public schools at least five of the eight years* prior to employment with the District is one year; for those with less experience, the probationary period will be three years, with an optional fourth year if the District has doubts about whether a Term Contract should be given.
- Chapter 21 Professional employees are hired on a one-year Probationary Contract and are subject to the same probationary period as stated above.

### ***Term Contracts:***

- Full-time teachers who have successfully completed the probationary period will be issued a Term Contract.
- A certified teacher returning to full-time employment after retirement will be employed under a one-year term contract.
- Professional employees covered by Chapter 21 are issued a Term Contract after successful completion of the Probationary period.

### ***At-Will Employment:***

Full-time auxiliary, non-Chapter 21 professional, and paraprofessional employees will be employed on an at-will basis. These positions include some professional and administrative positions, secretaries/clerks, teacher assistants, custodians, campus monitors, maintenance/ central service employees, and some food service workers. At-will employment is not for any specified term and may be terminated at any time by either the employee or the District.

## ***Employment after retirement***

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in limited circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment After Retirement*. Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Web Site ([www.trs.state.tx.us](http://www.trs.state.tx.us)).

## ***Employee Involvement - Legal and/or Local Policies – BQA, BQB***

FWISD offers involvement opportunities in matters that affect employees at the campus and district levels. As part of the planning and decision-making process, employees may be asked or elected to serve on district or campus level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office.

## ***Employment Practice Regarding Criminal History Background - Legal and/or Local Policy – DC***

FWISD reserves the right to not employ any applicant whose criminal history record indicates an arrest or conviction for a felony, crimes against persons, drug-related crimes, job-related crimes, repeated arrests, offenses that pose a risk to children, or any other criminal activity judged to be improper for a school employee. FWISD reserves the right to obtain criminal record information on any District employee at any time. In accordance with procedures set forth in Policy DC Local and Exhibits A and B, criminal record checks are to be done annually on all current employees.

## ***Job Vacancy Announcements - Local and/or Legal Policy – DC***

Job vacancies are posted at [fwisd.org/employment](http://fwisd.org/employment) and may be accessed by personal computer or using computers located in the lobby of the Human Capital Management department at the FWISD administration building – 100 N. University Drive.

## ***Performance Evaluations - Legal and/or Local Policies – DN, DNA, DNB***

Evaluation of administrators, non-teaching professional personnel, non-certified and auxiliary personnel job performance is a continual process that focuses on improvement and is based on assigned job-related criteria and duties. Employees will be informed of the criteria upon which the appraisal shall be based and evaluators will be appropriately trained in the use of the appraisal instrument used. Except for teachers (see next paragraph for process), all employees will participate in an annual evaluation process, completed on District-approved forms, with their supervisor. Memoranda, correspondence, and reports can be used to document employee performance. An employee, other than a teacher, who receives below “Meets Expectations” on an annual performance evaluation shall be ineligible for an increase in salary for the upcoming year.

The annual evaluation of District teachers shall be in accordance with the Professional Development and Appraisal System (PDAS) see Policy DNA Local for more details. Appeals regarding teacher appraisals shall be in accordance with the established grievance procedure. Annual teacher evaluations are conducted for teachers who:

- Are on a Probationary Contract,
- Are on a one-year Retire/Rehire Contract,

- Are new to a building, except if moved as a result of administrative leveling of classes,
- Are new to a department when someone other than a principal, or asst. principal is the supervisor,
- Are on a campus designated as “academically unacceptable” based on academics,
- Does not have a rating of proficient on all domains from the previous year.
- All teachers will be evaluated annually on Domain VII. Issues including but not limited to, attendance, student failure, and drop-out rates, shall be addressed.

Except for Domain VII, teachers who meet the criteria listed below shall be eligible for a less-than-annual appraisal as permitted by law.

- **Two-Year Evaluations:** A teacher must agree in writing and must score at least “Proficient” in all domains to qualify for an evaluation once every two years.

Employees will receive a copy of the written evaluation, have a conference with their supervisor, and have the opportunity to respond to the evaluation. Copies of summative appraisals will be placed in the employee’s personnel file.

**Exceptions:** If documentation and notification concerning Domains I, II, III, or IV occur during the first semester, teachers may be appraised during the school year even though he/she met criteria on a previous appraisal for a two year cycle. If documentation and notification occur during the second semester, the teacher who previously met the criteria for a two year cycle shall be appraised the following school year.

### **Reassignments and transfers - *Policy DK***

All personnel 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 supplementary duty assignments may be reassigned at any time. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department pursuant to the District’s Voluntary Transfer guidelines. All voluntary transfer requests will be coordinated by the Human Capital Management.

### ***Staff Development/Training - Local and/or Legal Policy – DMA***

Staff development/training activities are organized to meet the needs of employees and the District. Staff development/training is predominantly campus-based, related to achieving campus and/or job performance objectives, and developed and approved by District and campus-level advisory committees.

## ***Work Schedules and Workload - Legal and/or Local Policies – DH, DK, DL***

- **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 District work schedules. A school calendar is adopted each year designating all school holidays and the work schedule for all teachers, professional and administrative staff. The calendar is distributed each school year and is also available on the District's web site: [www.fwisd.org](http://www.fwisd.org) .

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 within the instructional day. 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.

- **Paraprofessional and Auxiliary Employees:** Support employees will be notified of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees are not exempt from working overtime. Duty hours for all employees are established through District administrative procedures, as approved by the Superintendent or designee.
- **Full-Time Employment Schedule:** Employees shall be available full-time during their regular scheduled working hours. Any need for emergency variations from this regulation shall be discussed by the employee with the appropriate assistant superintendent.

**Note:** Campus based personnel working hours are set forth in the Bulletin One district publication.

# Employee Relations and Communications

## ***District Communications***

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

The District's main method of communication with the employee base, besides the phone system, is through the Microsoft Office Outlook Email System. In order to use the email system, an employee must have access to a computer and be issued an email account and user id. Through this system the District distributes information to employees regarding important issues, concerns, administrative regulations, changes in policies and procedures, and other relevant news. **Important:** When an employee is set up with an email address, it is important that they create a resume indicating what department they work in, their title, etc. The District is very large and sometimes there are employees with identical names. In order to send email to the correct person, an up-to-date resume on the email system is important.

The District distributes information to the media via the Communications Department. All information must be processed through and approved by the Communications Department before being released to the media.

## ***Employee Recognition and Appreciation***

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

## **Compensation and Benefits**

### ***Automatic Payroll Deposit***

The District offers two methods for employees to receive their pay.

- Automatic Payroll Deposit: Employees can have their earnings electronically deposited into an account at any banking institution. A notification period of one month is necessary to activate this service. Money is immediately available on the pay date.
- PayChek-Card: This method is for employees who do not qualify for a direct deposit account at a bank of their choice or at the school district's bank.

Contact the Payroll Department at 817-814-2180 for complete details on either method.

## ***Compensatory Time - Legal and/or Local Policy – DEA***

The District pays overtime for non-exempt employees in accordance with federal wage and hour laws. All employees are classified as either exempt or non-exempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only non-exempt employees (hourly employees and some paraprofessional employees) are entitled to overtime compensation. All overtime work, except in emergency situations, must be approved **in advance** by the immediate supervisor or appropriate designee. Unauthorized overtime work is grounds for disciplinary action.

A non-exempt employee is paid at a rate of one and one-half times his or her regular rate of pay for each overtime hour worked. Compensatory time, in lieu of monetary overtime compensation, may be granted at a rate of one and one-half hours of compensatory time for each hour of overtime worked. The supervisor and non-exempt employee should agree to the method of overtime compensation prior to the non-exempt employee performing the overtime work.

Compensatory time earned must be used at a time that is mutually agreeable to the non-exempt employee and supervisor. Weekly time cards will be maintained on all non-exempt employees for the purpose of wage and salary administration. Overtime is considered to be time worked above 40 hours in a week. Holidays, vacation, or any paid non-work time is not considered in the formula for calculation of overtime pay. You have to literally, physically work 40 hours in a week before overtime is paid.

*The District's workweek is defined as: 12:00 a.m. Saturday to 11:59 p.m. Friday.*

## ***Health Insurance - Legal and/or Local Policy – CRD***

Group health coverage is available through TRS ActiveCare to employees who work 10 or more hours each week, in accordance with TRS ActiveCare provisions. Employees can access the TRS ActiveCare and other benefit information at [www.mybenefitshub.com/fortworthisd](http://www.mybenefitshub.com/fortworthisd). The District's contribution to employee coverage is determined annually by the Board of Trustees. Detailed descriptions of coverage and premiums is available at [www.mybenefitshub.com/fortworthisd](http://www.mybenefitshub.com/fortworthisd).

The benefits plan year is September 1 thru August 31. New employees may complete enrollment at [www.mybenefitshub.com/fortworthisd](http://www.mybenefitshub.com/fortworthisd); current employees can make changes to their coverage during the annual open enrollment periods at this same website. For special enrollment qualifying events please contact the Employee Benefits office at [benefits@fwisd.org](mailto:benefits@fwisd.org) or 817-814-2240. At the employee's discretion, health insurance may begin on: (1) the first day the employee is actively at work or (2) the first day of the month following the date the employee is actively at work. All other benefits begin the first day of the calendar month following the date the employee is actively at work..

At their own cost, eligible employees may enroll in supplemental insurance programs for dental, vision, life, and disability. Premiums for these programs can be paid by payroll deduction. Employees may refer to [www.mybenefitshub.com/fortworthisd](http://www.mybenefitshub.com/fortworthisd) for more information.

## **Paychecks**

Professional employees are paid monthly; auxiliary employees are paid either monthly or every two weeks, depending upon the job classification. Salary is received one of two ways: (1) Through Direct Deposit into the employee's bank of choice, or (2) through a Bank One assigned PayCard. Payroll Advice Statements are available to review and print from the Employee Self Service portal found on the Educator page of the District's website.

An employee's Payroll Advice Statement contains detailed deduction and withholding information. Please Note: Employees with a start date on or before the 15<sup>th</sup> of a month will normally receive a paycheck that month. If you have any questions regarding your pay or Payroll Advice Statement, please contact the Payroll Department at (817) 814-2180.

### **MONTHLY PAYCHECK DATES FOR THE 2015--2016 SCHOOL YEAR ARE AS FOLLOWS:**

<b>September 28, 2015</b>	<b>January 28, 2016</b>	<b>May 27, 2016</b>
<b>October 28, 2015</b>	<b>February 26, 2016</b>	<b>June 28, 2016</b>
<b>November 20, 2015</b>	<b>March 28, 2016</b>	<b>July 28, 2016</b>
<b>December 17, 2015</b>	<b>April 28, 2016</b>	<b>August 26, 2016</b>

## **Payroll Deductions - Legal and/or Local Policy – CFEA**

Automatic payroll deductions for the Texas Teacher Retirement System (TRS) and Federal Income Tax (IRS) are required for full-time employees. Medicare tax deductions are also required for employees hired after March 31, 1986. Temporary and part-time employees who aren't eligible for TRS membership must have their Social Security contributions deducted. Substitutes may elect to have FICA deductions as an alternative. Other payroll deductions employees may include are: premiums for annuities, savings, dues, bonds, employee associations, credit union deposits, insurance, and selected charitable organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

## **Salaries, Wages, and Stipends - Legal and/or Local Policy – DEA**

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. Salaries and wages are reviewed on an annual basis and adjusted according to the budgeted amounts approved by the Board of Trustees.

Teachers, librarians, counselors, and nurses will be paid no less than the minimum state salary schedule. Employees must work a minimum of 90 days per year and receive "Meets Expectations" or better on annual evaluations to be eligible for any board approved pay increases the following fiscal year. Employees may contact the Compensation Department at 817-814-2080 for information regarding the District's pay schedules or their own pay.

## **Service Records and Service Credit**

FWISD will compensate certified employees for prior experience in an educational setting, provided the service has met TEA requirements. It is the employee's responsibility to provide service records of previous employment. Eligible employees will not be given service credit until the records are submitted and verified by the Compensation Department. It is imperative that service records be submitted in a timely manner because it could affect the employee's rate of pay. Employees who provide service records with verifiable experience may receive additional salary if service records are submitted to Compensation ***no later than 5:00 p.m. on June 30<sup>th</sup>, following your hire date – of the current school year.*** Service Records received after this date, which qualifies for a salary adjustment will be processed for the following school year by Compensation. **Records received after June 30<sup>th</sup> of the school year will not qualify for or receive back pay.** For the appropriate forms, more information or details, please contact the Compensation Department at 817-814-2080.

### **Salary Credit for Certified Substitute Teaching Service:**

Any current full-time teacher, nurse, librarian, or counselor with prior experience as a certified substitute teacher may be eligible to receive District salary credit for that service if he/she worked a minimum of 90 days in a fiscal year. If you have such service with FWISD, please complete a "Request for Unreported Service and Salary" form available in Employee Records. Service records will be researched, and if you qualify, you will receive FWISD salary credit for that service. If you have service in another district, please contact that district for verification, and submit the out-of-district record to the FWISD Compensation Department.

### **Retirement Credit for Substitute Teaching Service:**

Upon request, a "Teacher Retirement System Form (TRS22) verifying your service of 90 days or more per fiscal year will be mailed to your home. If you wish to ***purchase*** this service toward your retirement, forward the TRS22 form to the Teacher Retirement System per directions on the form. TRS will send you a bill for the amount of money necessary to purchase the year(s) toward your retirement. For questions regarding purchase of this service, or your retirement account in general, contact the Teacher Retirement System of Texas at 1-800-223-8778.

### **Retirement Credit for Substitute/Part-Time Service:**

The Teacher Retirement System of Texas allows school district employees to purchase part-time or substitute work for retirement purposes. The service must be for a minimum of 90 days in a fiscal year.

If you've worked for a school district in a position where you did not pay into TRS, you may be eligible to purchase that service toward your retirement. In this case, the district where the service was performed, must complete a TRS22 form, verifying the number of days worked and gross salary earned for that period. If you have such FWISD service, please contact the Employee Records Department at 817-814-2764.



***Travel Expense Reimbursement*** - *Legal and/or Local Policy – DEE*

Before any travel expenses are incurred by an employee, the employee's supervisor and appropriate central office business officials must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule authorized by the Board of Trustees. Employees must submit receipts to be reimbursed for travel expenses other than mileage.

***Unemployment Compensation Benefit*** - *Legal and/or Local Policy – CRF*

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits under the Texas Unemployment Compensation Act. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. For more information about unemployment benefits please contact the Employee Relations Division at 817-814-2793.

***Vacation*** - *Legal and/or Local Policy – DED*

240 and 245 day employees receive paid vacation as follows:

- Two weeks per year during first ten years
- Three weeks per year after ten years of service beginning with 11<sup>th</sup> year
- Four weeks per year after twenty years of service beginning with 21<sup>st</sup> year

***Workers' Compensation Benefit*** - *Legal and/or Local Policies – CRE, DEC*

The District provides workers' compensation benefits to employees who are injured on the job or suffer a work related illness. Benefits may pay for medical treatment and replace part of the income lost by the employee while recovering. Specific benefits are set by law depending on the circumstances of each case. All work related accidents/ injuries should be reported at once to the immediate supervisor. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code by the State Workers' Compensation Commission after the appropriate injury reports have been submitted.

Employees receiving weekly workers' compensation benefits may elect to use their accrued leave benefits. These leave day benefits are pro-rated. Employees who have lost work time due to work-related injuries are required to file a Form 100 with the Employee Relations Division requesting Workers' Compensation Leave. This leave will run concurrently with Family Medical Leave.

## Complaints and Grievances

The policy for employee complaints or grievances is intended to provide an orderly process for the prompt and equitable resolution when a concern has not been resolved. The Board intends that whenever feasible, complaints or grievances be resolved at the lowest possible administrative level. This policy shall not be construed to create new or additional rights beyond those granted by Board Policy or Law. Employees are encouraged to discuss problems or concerns with their supervisor or an appropriate administrator at any time.

Grievances must be filed on a Grievance Statement Form and must be personally signed by the employee filing the complaint. Forms can be provided by the Employee Relations office in Human Capital Management. An employee is prohibited from bringing separate or serial grievances regarding the same event or action. All time limits shall be strictly complied with unless changed in writing by mutual consent. **Scheduled meetings or reviews with district administrators regarding grievances shall be held during business hours; consultations by an employee with a potential representative or a representative, verbal or in person, must be conducted on the employee's own time outside of scheduled working hours.**

An employee filing a grievance or an employee who is the subject of a grievance may be represented at his/her own expense by an attorney, a fellow employee, any other person, or an organization that does not claim the right to strike. The representative shall be permitted to attend a conference and assist the employee during the complaint/grievance resolution process. Similarly, a school attorney may represent administrative and supervisory staff.

### ***Complaint and Grievance Procedure Summary Outline –***

#### **BOARD POLICY DGBA**

#### ***(Applies to ALL Employees)***

The following is a summary of the procedure to be followed by all employees in cases of grievances regarding all issues **except demotions, suspensions and terminations (which are covered by other Board policies)**. Questions concerning the grievance processes should be directed to the office of Employee Relations at 817-814-2792. Employees may view all policies on the District's web page at [www.fwisd.org](http://www.fwisd.org) or request a copy from their department supervisor. A grievance under this policy may include, but shall not be limited to, the following:

- 1) Grievances concerning an employee's wages, hours, or conditions of work.
- 2) Specific allegations of unlawful discrimination in employment on the basis of gender, race, religion, national origin, age, or disability.
- 3) Specific allegations of unlawful discrimination or retaliation on the basis of the employee's exercise of constitutional rights.
- 4) "Whistleblower" complaints.
- 5) Grievances regarding demotions, suspensions, and terminations for at-will employees are covered by Policy DCD, which is discussed after the DGBA process below.
- 6) Grievances regarding dismissals and non-renewals of Chapter 21 employees are covered briefly on page 45 and are covered at length in board policies as follows:

Board Policy DFAA–Probationary Contracts: Suspensions/Terminations during Contract Term

Board Policy DFAB – Probationary Contracts: Terminations - End of School Year Term

Board Policy DFBA – Term Contracts: Suspensions/Terminations during Contract Term

Board Policy DFBB – Term Contracts: End of Year Non-Renewal

Board Policy DFCA – Continuing Contracts: Suspensions/Terminations

Board Policy DFD – Contract Termination Hearings

Board Policy DFF – Contract Termination – Reduction in Force

## **DGBA GRIEVANCE PRESENTATION PROCESS**

### **Level I:**

1. A Level I grievance statement meeting the requirements set forth in this policy must be filed with the Employee Relations Division in Human Capital Management within the applicable filing deadline set forth in this policy.
2. Upon receipt of the Level I grievance statement, Employee Relations shall immediately notify the employee's immediate supervisor or another supervisor if appropriate of the filing of the grievance statement and shall apprise the supervisor of his or her responsibilities under this policy.
3. Unless there is a written agreement or documented extenuating circumstances, a grievance conference must be held by the immediate supervisor within 10 working days after the receipt of the grievance statement. However, the Superintendent can appoint a designee to hear the grievance.
4. The employee must attend the conference in person and may appear with a representative who has notified the employee's supervisor of the representation at least 24 hours prior to the conference. The failure of the employee to appear at the appointed time and place shall render the grievance null and void.
5. All conferences concerning grievances shall take place during normal business hours. Reasonable notice of scheduled conferences shall be given to all participants.
6. A written decision must be issued by the immediate supervisor within 10 working days after the conference, unless there is a mutual written agreement or documented extenuating circumstances.
7. If a response to a grievance is not obtained from the appropriate authority within the time limits set forth above, the employee may proceed to the next level under the assumption that the grievance has been denied.
8. At any time during the grievance procedure, the Superintendent or designee may assume jurisdiction and render a decision on the grievance. In this event, the Superintendent's decision may be appealed to the Board within 10 working days of such decision.

### **Level II:**

1. In the event that the employee has not received a timely written decision at Level I, or if the Level I decision is not satisfactory to the employee, a Level II written appeal may be made to Human Capital Management within 10 working days. The appeal shall be presented to the Employee Relations Division in Human Capital Management.
2. Upon receipt of the grievance appeal request, Employee Relations shall notify the Superintendent who shall determine whether to personally consider the grievance appeal or to appoint a designee as a hearing officer.
3. Unless there are documented extenuating circumstances, the hearing officer shall hold a

grievance hearing with the employee within 10 working days after the receipt of the written notice of grievance hearing request.

4. The grievance decision shall be communicated in writing to the employee within 10 working days after the hearing.

**Level III:**

If the Level II decision is not satisfactory to the employee or in the event that the employee has not received a timely written decision at Level II, a written appeal may be made to the Board of Trustees.

1. The employee must file the written appeal within 10 working days after receipt by the employee of the grievance decision. The appeal shall be presented to the Employee Relations division in Human Capital Management.

2. The Superintendent shall place the appeal on a future Board agenda available for posting under the Texas Open Government Act and shall inform the employee of the date, time, and place of the meeting.

3. At the meeting the Superintendent shall provide the Board with copies of the employee's original grievance, all responses, and any written documentation previously submitted by the employee and the administration. The Board will not consider documentation not previously submitted or issues not previously presented.

4. The Board will consider the grievance but is not required to rule thereon. In the event that the Board takes no action, the decision will be deemed to have been upheld.

***Complaint and Grievance Procedure Summary Outline – BOARD POLICY DCD  
(Applies to At-Will Employees)***

***SUSPENSIONS WITHOUT PAY/DEMOTIONS/TERMINATIONS***

At-will employees who have been suspended without pay, demoted, or dismissed from employment with the District may request a review of the disciplinary action.

**Level I:**

1. A Level I grievance statement meeting the requirements set forth in this policy must be filed with the Employee Relations Division in Human Capital Management within the applicable filing deadline set forth in this policy. At the time the grievance is delivered to Employee Relations, the grievant should also deliver a copy of the grievance statement to the employee's supervisor.

2. This request must be made in writing to the Human Capital Management, with all pertinent documentation attached, no later than 10 working days of the time the employee knew or should have known of the action taken.

3. The Human Capital Management will forward the written request for review and all documentation to the administrator who is in the direct line of authority to the employee's immediate supervisor.

4. The administrator shall hold a conference with the employee within 5 working days of receipt of the request for review.

5. The administrator's decision shall be communicated in writing to the employee within 5 working days after the conference.

## **Level II:**

If the decision at Level I is not to the employee's satisfaction or in the event that the employee has not received a timely written decision at Level I, the employee may request a review of the decision.

1. This request must be made in writing, with all previous documentation attached, to the Human Capital Management within 10 working days of the receipt of the Level I decision.
2. The Human Capital Management, at the direction of the superintendent, shall convene the District Review Board within 10 working days after receipt of the request and facilitate the review. The District Review Board consists of three individuals appointed by the Superintendent.
3. The Review Board will render a written decision within 7 working days after the conclusion of the review.

## **Level III:**

If the decision at Level II is not to the employee's satisfaction or in the event that the employee has not received a timely written decision at Level II, the employee may request a review of the decision.

1. This request must be made in writing, with all previous documentation attached, to the Human Resources Department no later than 10 working days of the receipt of the Level II decision. Human Capital Management shall forward the request and documentation to the Superintendent.
2. The Superintendent or designee shall hold a conference with the employee within 10 working days following receipt of the request.
3. The decision of the Superintendent/designee shall be communicated to the employee in writing within 10 working days after the conference. The decision is final. However, any employee has the right to present an issue to the Board of Education for consideration.

**Back Pay:** If during one of the review levels, it is determined that a suspension without pay, a demotion, or a dismissal should not have been imposed, the employee may be given back pay less days assessed for disciplinary or other reasons.

For issues concerning Discrimination, Sexual Harassment, Grievances/Complaints, or Disabilities, you may contact:

*For Discrimination and Sexual Harassment Issues:* The Office of Employee Relations - Rufino Mendoza (817/814-2793)

*For Grievance and Complaint Issues:* The Office of Employee Relations - Rufino Mendoza (817/814-2793)

*For Disability Issues:* ADA/504 Coordinator - June Davis (817/814-2878)

# Employee Code of Ethics and Standards of Conduct

## ***Alcohol and Drugs - Legal and/or Local Policies DH, DI***

A copy of this policy, the purpose of which is to eliminate drug use from the workplace, shall be provided each employee at the beginning of each fiscal year or upon employment.

Employees shall not 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; and
- Any other intoxicating, 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.

**Exception:** An employee who manufactures, possesses, or dispenses a substance listed above as part of his or her job or who uses a prescription drug authorized by a licensed physician specifically for that employee’s use shall not be considered to have violated this policy.

## ***Arrests and Convictions - Legal and/or Local Policy - DH***

An employee who enters a plea of *nolo contendere*, is arrested, is granted deferred adjudication, or convicted, of any felony or offense involving moral turpitude must notify the Office of Professional Standards in writing within three calendar days from the date of the event.

## ***Associations and Political Activities - Legal and/or Local Policy - DH***

The District will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization. An individual’s employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

## ***Computer Use and Data Management - Legal and/or Local Policy –CQ***

The District’s electronic communications systems, including access to the Internet, is to be used for administrative and instructional purposes only. 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. There exists no right to privacy and contents are subject to review and to open record requests. Unauthorized use of these systems is prohibited and can result in suspension or termination of privileges.

Employees and students authorized to use the systems are required to abide by the provisions of the District’s communications systems policy and administrative procedures. Failure to follow District policies and procedures may lead to disciplinary action punishable up to and including termination. Employees with questions about computer use and data management may contact the Information and Technology Services Department at 817-814-3000.

### ***Conflict of Interest - Legal and/or Local Policy – DBD***

Public trust requires that FWISD employees avoid even the appearance of a conflict between their professional responsibilities and their personal business interests.

A conflict of interest occurs when an employee allows the possibility of direct or indirect personal gain to influence the employee's judgment or actions in the performance of duties and responsibilities. In the discharge of assigned tasks or functions, an employee shall avoid even the perception of conflict of interest and improper practices. To ensure adherence to high ethical and professional standards, an employee's conduct shall be fair, impartial, and impersonal. An employee shall act in a manner that is above reproach and always in the best interest of the District.

An employee shall not accept or solicit any gift, favor, service, or other benefit from any person or entity that could reasonably be construed to influence the employee's discharge of assigned duties and responsibilities. (See policy CAA )

An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or that creates a potential conflict of interest with the best interest of the District.

### ***Copyrighted Materials - Legal and/or Local Policy – EFE***

- Copyright Infringement: All persons are prohibited from using District technology in violation of any law including copyright law. Only appropriately licensed programs or software may be used with District technology. No person shall use the District's technology to post, publicize, or duplicate information in violation of copyright law. Persons using District technology in violation of law will lose user privileges in addition to other sanctions.

If a content owner reasonably believes that the District's technology has been used to infringe upon a copyright, this owner may notify the District's designated agent.

- Electronic Media: To comply with copyright law, electronic media used in the classroom shall be for educational purposes only.

Unless otherwise provided in the purchase agreement, computer programs shall not be used to make copies. District employees shall not use the same program on more than one computer at a time unless the purchase agreement or written permission from the vendor allows the District to network the program or allows specified multiple use of the single copy.

### ***Corporal Punishment - Legal and/or Local Policy – FO***

The use of corporal punishment is prohibited by the FWISD Board of Trustees. Students will not be spanked, paddled, or physically disciplined for violations of the Student Code of Conduct. Additionally, employees are expected to use non-touching ways to reward or discipline students.

### ***Discrimination, Harassment, and Retaliation - Legal and Local Policies – DIA, DH, FFH, FFG***

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

Sexual harassment of employees or students is not acceptable and shall not be tolerated. Sexual harassment of employees may be discrimination on the basis of sex under Title VII. Sexual harassment of students may be discrimination on the basis of sex under Title IX.

### **Employee-to-Employee:**

Sexual harassment of a co-worker is a form of discrimination and prohibited by law. Sexual harassment is defined as requests for sexual favors, unwell-come sexual advances, and other verbal or physical conduct under the following conditions:

- Submission to such conduct is explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for employment decisions.
- The conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or otherwise offensive work environment.

Employees who believe they have been discriminated or retaliated against, or subjected to sexual harassment are encouraged to come forward with complaints and inform their principal, supervisor, or the Title IX Coordinator at 817-814-2793. Employees must follow the procedures outlined in District Policy and this handbook for filing a complaint except when it would require presenting a complaint to the alleged harasser. The recipient of the complaint will contact the Office of Professional Standards in regard to the matter. The District will promptly investigate all allegations and take appropriate disciplinary action.

### **Employee-to-Student:**

Sexual harassment or abuse of students by employees is a form of discrimination and is prohibited by law. Sexual harassment of students includes any welcomed or unwelcomed sexual advances, requests for sexual favors, and other oral, written, physical, or visual conduct of a sexual nature. Romantic relationships between District employees and students are strictly prohibited. Other prohibited conduct includes the following:

- Engaging in sexually oriented conversations for the purpose of personal sexual gratification.
- Telephoning students at home or elsewhere and engaging in inappropriate social relationships.
- Engaging in physical contact that would reasonably be construed as sexual in nature.
- Enticing or threatening students to get them to engage in sexual behavior in exchange for grades or other school-related benefits.

In most instances, sexual abuse of a student by an employee violates the student's constitutional right to bodily integrity. Sexual abuse may include, but is not limited to, fondling, sexual assault, or sexual intercourse.

Employees who suspect a student is being sexually harassed or abused by another employee are obligated to report their concerns to the campus principal.

All allegations of sexual harassment or abuse of a student will be promptly investigated by the Office of Professional Standards and reported to the student's parents. Conduct that may be characterized as known or suspected child abuse also will be reported to the appropriate authorities, as required by law. Employees with questions or concerns relating to the alleged sexual harassment of a student should contact the Title IX Coordinator at 817-814-2793



## ***Diversity - Legal and Local Policies – DIA, FFH***

The Fort Worth Independent School District is committed to the value of diversity and the validation and enrichment it provides in the lives of each and every one of our students, parents, and employees.

### **Employee Welfare Freedom from Discrimination, Harassment, and Retaliation**

#### **DIA (LOCAL):**

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

Discrimination against an employee is defined as *conduct* directed at an employee on the basis of race, color, religion, gender, national origin, age, sexual orientation, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

### **Student Welfare Freedom from Discrimination, Harassment, and Retaliation**

#### **FFH (LOCAL):**

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

### **Harassment Hotline**

**817-814-2793**

## ***Dress Code - Legal and/or Local Policy – DH***

The dress and grooming of District employees shall be clean, neat, and in a manner appropriate for their assignments, and in accordance with any additional standards set by their supervisors with the approval of the superintendent. Please adhere to the following:

### **Dress Code for Central Office Staff and Satellite Locations:**

- Dress slacks
- Business style dresses
- Jackets desired
- Business style dress shirts and blouses (with or without collars – can be button down or plain front)
- Ties optional but desired
- Dress sweaters or turtlenecks
- Dress capris/cropped pants that are at least mid-calf in Length
- Belts for pants or skirts
- Leather, simulated leather, or microfiber shoes; dress sandals that do not resemble flip flops
- Hose for women desired
- Blue jeans and sneakers only on special occasion days or under extenuating circumstances, as approved by division head

### **Dress Code for Campus Based Personnel:**

- Slacks (may be docker-style), skirts, dresses of various colors and fabrics
- Shirts (not t-shirts) and blouses with or without collars (can be button down or plain front)
- Dress style polo shirts

- Dress capri's/cropped pants that are at least mid-calf in length
- Sensible shoes appropriate to the assignment
- Blue jeans and sneakers only on special occasion days or under extenuating circumstances, as approved by principal.

***Drug/Alcohol Abuse Prevention - Legal and/or Local Policies – DH, DI***

Fort Worth ISD is committed to maintaining a drug-free environment and will not tolerate the use of illegal drugs in the workplace. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours are subject to disciplinary action up to and including termination. Please see the statement below:

***Drug-Free Schools and Drug-Free Workplace Requirements Notice:***

It is the policy of the FWISD Board of Education that the FWISD will provide a drug-free workplace for employees and students. In compliance with the federal Drug-Free Schools and Communities Act amendments of 1989, the following is a copy of the FWISD Board of Education policy related to drug-free workplace requirements.

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, illegal drugs, inhalants and alcohol, as those terms are defined in state and federal law, in the workplace, on school premises, or as part of the District's activities. 41 U.S.C. 702 (a)(1)(A); 28 TAC 169.2.

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include 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 DH (legal) and DHE (legal)]. 41U.S.C. 702(a)(1)(A); 28 TAC 169.2.

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. As a further condition of employment, an employee shall notify the Superintendent of any criminal drug statute conviction for violation occurring in the workplace no later than five days after such conviction. Within ten days of receiving such notice – from the employee or any other source – the District shall notify the granting agency of the conviction. 41 U.S.C. 702(a)(1)(D)(E)

Within 30 calendar days of receiving notice from any source of a conviction for any drug statute violation occurring in the workplace, the Superintendent or designee 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 or alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. The cost of any such program shall be borne by the employee. 41 U.S.C. 703

{This notice complies with the notice requirements imposed by the federal Drug-Free Work-place Act 41 U.S.C. 702 and 34 CFR 85.6301; notice requirements imposed by the federal Drug-Free Schools and Communities Act Amendments of 1989 [20 U.S.C. 3224a and 34 CFR 86.2011 and notice requirements imposed by the Texas Workers' Compensation rules at 28 TAC 169.2}

***Employee Fraud, Waste, and Abuse Hotline***

The Fort Worth Independent School District has established an employee hotline to report fraud, waste and abuse. The hotline number is 817-814-1971 and will be maintained by the FWISD Internal Audit Department. This hotline is open to employees, vendors, and the community at large. Please read the notice on the following page for full details.

# Fort Worth Independent School District

***Fraud, Waste, and Abuse Hotline - 817-814-1971***

**NO! YOUR NUMBER DOES NOT SHOW UP ON A CALLER ID.**



Your hotline call goes to an answering machine maintained by the Internal Audit Department, which will conduct or arrange for an appropriate review or investigation of your complaint. You may remain anonymous, by not disclosing your name, or you can ask that your identity be kept confidential. If you remain anonymous it may be more difficult to investigate your complaint. If you ask that your identity be kept confidential, Internal Audit will protect your identity and disclose it only to the auditors or investigators assigned to review the complaint.

## **Call the Fraud, Waste, and Abuse Hotline to report:**

- Illegal or fraudulent acts;
- Waste of funds; and
- Misuse or theft of District property or funds.

## **When calling the Hotline, please provide as much information as possible, to include:**

- Circumstances of the incidents noted (dates, times, names, places);
- The offices and individuals involved;
- Location of any available evidence (physical evidence or records);
- Names and telephone numbers of credible witnesses; and
- Caller's name and telephone number, if you chose not to remain anonymous.

## **Do not use the Fraud, Waste, and Abuse Hotline to report:**

Complaints or grievances involving wages, working conditions, discrimination, and other personnel issues. These issues should be reported in accordance with Board policy DGBA (LOCAL), Employee Complaints/Grievances.

*Remember, calls to the hotline should be made in good faith to report fraud, waste, or abuse rather than to report an employee's dissatisfactions.*

***Moral Turpitude - Legal and/or Local Policy - DH***

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 as described in 19 TAC 249.16(b); or acts constituting abuse under Family Code 261.001.

***Nepotism - Legal and/or Local Policy - DBE***

The District shall not employ any person who is related by blood within the third degree, or by marriage within the second degree, to a Board Member, or the Superintendent. This rule does not apply to an employee who has been continuously employed for a period of one year prior to the election or appointment of the officials named.

A person shall not be employed or promoted if such employment/promotion would place the person in a position of supervising/being supervised by a member of his/her immediate family; or where a member of the person's immediate family occupies a position in which the family member could use that position to affect the employment, promotion, salary administration, or other related management or personnel transaction of the person being employed or promoted.

No department director, assistant director, or supervisor shall appoint or employ any person within his or her immediate family, nor use his or her position to influence another District employee to hire a member of his or her immediate family.

Members of the immediate family may teach and/or work in the same school, building, or worksite. However, because of the opportunity for conflicts to arise when members of the immediate family work on the same campus, or in the same worksite, the District reserves the right to reassign an employee or restrict such employment. In all cases, one member of the immediate family shall not directly supervise and/or evaluate another immediate family member or be in the line of supervision to influence or affect the employment, promotion, salary administration, or other management or personnel transaction regarding the family member. Please see Board Policy **DBE** Local for description of immediate family members.

***Outside/Secondary Employment - Legal and/or Local Policy – DBF***

Prohibiting outside employment is related to the legitimate interest of the Board that public school employees devote their professional energies and efforts to the education of children. Consequently, the full-time position held by an employee of the District shall take precedence over any other occupational interest of the employee. While "approval" for outside employment is not required, employees who wish to accept outside employment or engage in activities for profit must be dedicated primarily to the school system. Outside employment activities will be the responsibility of the employee.

A District employee shall not accept outside employment or compensation that could reasonably impair the employee's independence of judgment in the performance of their duties. Also, no full-time employee of the District shall engage in any occupation during their work year that is incompatible or presents a conflict of interest with their employment with the District.

However, if a conflict of interest or incompatibility exists, or if it's determined that such employment interferes with the duties and proper performance of an employee's regular assignment, the activity will be denied. In this case, continuation of outside/ secondary employment shall result in disciplinary action up to and including termination of employment with the District. An employee shall not perform any personal work during regular business hours, except while on approved personal leave. The use of any District facilities or property, equipment or resources for personal business or gain is strictly prohibited.

### ***Outside Professional Services - Local Policy – DBF***

Professional personnel such as teachers, counselors, coaches, etc. shall not privately tutor students or provide other services to students at the campus to which the employee is assigned for pay, except during the summer months and except for District sponsored initiatives such as mentoring, tutoring programs, or athletic clinics as approved by UIL when school is not in regular session. Appropriate administrative approval must be obtained.

### ***Possession of Firearms and Weapons - Legal and/or Local Policy – GKA***

Employees, visitors, and students are prohibited from bringing firearms, illegal knives, or other weapons onto school premises or any grounds or buildings where a school-sponsored activity takes place. To ensure the safety of all, employees who observe or suspect a violation of the District's weapons policy should immediately report it to their supervisor or call the Student Affairs Department at 817-814-2954.

### ***Reporting Hazing - Legal and/or Local Policy – FNCC***

Students must have prior approval from the principal or designee for any type of "initiation rites" of a school club or organization. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing, or has engaged in hazing, must report that fact or suspicion to the designated campus discipline person.

### ***Reporting Suspected Child Abuse - Legal and/or Local Policy – FFG, GRA***

Employees are required by state law to promptly report any suspected child abuse or neglect to Child Protective Services. Teachers and other professional staff are required to make a report to a law enforcement agency or Child Protective Services within 48 hours of the event that led to the suspicion. By state law, any person reporting/assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. For more information, contact the Student Affairs Department at 817-814-2954.

### ***Searches and Alcohol/Drug Testing - Legal and Local Policy – DHE***

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.**

Additionally, the District reserves the right to conduct searches if the District has reasonable cause to believe that 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 used in District business.

FWISD has established an alcohol/controlled substances testing program to help prevent accidents and injuries resulting from the misuse of alcohol/controlled substances by drivers of commercial motor vehicles as required by federal/state law. The primary purpose of the testing program is to deter misuse of alcohol/controlled substances and to prevent impaired employees from performing safety-sensitive functions. Drug testing will be conducted before an individual assumes job duties. Alcohol and drug tests will be conducted as follows:

- At random for safety sensitive positions;
- When reasonable suspicion of misuse or abuse exists;
- When an employee returns to duty after engaging in prohibited conduct;
- As a follow-up measure;

- Immediately 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/drugs returns to duty;
- For Pre-employment; and when a bus driver has been absent 30 days or longer they must be retested.

Failure to follow this policy can result in disciplinary action, up to and including termination.

Employees subject to alcohol and drug testing will receive a copy of the District's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact the Human Capital Management at 817-814-2792/2793.

### ***Smoking and Tobacco Use - Legal and/or Local Policies - DH, FNCD, GKA***

It is a criminal offense and prohibited by law to smoke or possess a tobacco product in a school building and to smoke or use tobacco products at school-related, school-sanctioned, or school-sponsored activities on or off school property. District policy prohibits smoking on all district-owned property. This includes all buildings, playground areas, parking facilities, athletic facilities, and while driving district-owned vehicles. Notices stating that smoking is prohibited by law and policy and punishable by a fine and disciplinary action are displayed in all school buildings.

### ***Standards of Conduct and Ethics - Legal and/or Local Policy – DH***

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

- Recognize and respect the rights and property of students and co-workers and maintain confidentiality in all matters relating to students and co-workers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor as early as possible (preferably in advance) in the event they must be absent or late. Unauthorized absences, chronic absenteeism, and tardiness may be cause for disciplinary action.
- Know and comply with District and department procedures and policies.
- Observe safety rules and regulations and immediately report injuries/unsafe conditions to a supervisor.
- 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 laws, District policy, and ethical standards for professional educators. The Code of Ethics and Standard Practices for Texas Educators is reprinted below:

### ***Standard Practices and Code of Ethics for Texas Educators***

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

## **PROFESSIONAL STANDARDS:**

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

- Standard 1.1.** The educator shall not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.
- Standard 1.2.** The educator shall not knowingly misappropriate, divert, or use monies, personnel, property or equipment committed to his or her charge for personal gain or advantage.
- Standard 1.3.** The educator shall not submit fraudulent requests for reimbursement, expenses or pay.
- Standard 1.4.** The educator shall not use institutional or professional privileges for personal or partisan advantage.
- Standard 1.5.** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents or other persons or organizations in recognition or appreciation of service.
- Standard 1.6.** The educator shall not falsify records, or direct or coerce others to do so.
- Standard 1.7.** The educator shall comply with state regulations, written local school board policies and other applicable state and federal laws.
- Standard 1.8.** The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

### **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, sex, disability, or family status.
- Standard 2.6.** The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7.** The educator shall not retaliate against any individual who has filed a complaint with the SBEC under this chapter.

### **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 knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health safety.

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

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

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

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

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

### ***Supervisory Relationships - Legal and/or Local Policy DBF***

Supervisors at all levels shall avoid any conflict of interest as it relates to subordinates, by rank of classification, especially with those subordinates within a supervisor's chain of command. Every decision made by a supervisor must be totally objective, impeccably fair, and above all, devoid of any favorable or unfavorable actions due to any relationship between the supervisor and the subordinate.

- A supervisor shall not enter into or continue a business relationship with an employee within his/her chain of command.
- An employee shall not perform any personal work at any time for supervisory personnel within the same chain of command as the employee.
- A supervisor shall not use their position, directly or indirectly, to harass, intimidate, oppress, or influence any employee to perform personal work at any time for any person or group.
- The Superintendent and Deputy Superintendents shall not utilize the services of any employee of the District. Other members of the Superintendent's executive staff, with the approval of the Superintendent, may utilize the services of an employee who is not within the same chain of command.

### ***Violations of Policies and Procedures - Legal and/or Local Policy – DH***

Violations of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment.

### ***Visitors in the Workplace - Legal and/or Local Policy – GKC***

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



# **FORT WORTH INDEPENDENT SCHOOL DISTRICT EMPLOYEE CODE OF ETHICS AND STANDARDS OF CONDUCT**

## **The “Shall Nots” Statement**

No employee or his/her spouse or family member shall intentionally/knowingly:

1. Accept or solicit any benefit, gift, favor, service, compensation, or thing of value from any person, group or business entity that could be interpreted, or might reasonably be expected to influence or impair the employee’s independence of judgment in the discharge of official duties or that the employee knows or should know is being offered with the intent to influence the employee’s impartiality.

Additional Instructions: Although some embarrassment might be involved, gifts other than those of nominal value should be returned to the donor with an appropriate explanation of policy. State law (Penal Code 36.10) defines nominal value as less than \$50.00, excluding cash or a negotiable document. However, it is recommended that even gifts of nominal value should be declined and accepted only on an infrequent basis. Lunches with vendors are not encouraged and are permissible only if there is a legitimate business purpose. Use of District facilities for a business meeting is preferred.

Accepting trips financed by a vendor or prospective vendor may result in misinterpretation of the relationship between the vendor and the District employee. Therefore, an employee may accept such trip invitations only after receiving permission from the Superintendent or designee. However, an employee is not prohibited from accepting transportation, lodging, or meals in connection with a conference or similar event in which the employee renders services, such as addressing an audience or engaging in a seminar, to the extent those services are more than merely perfunctory.

2. Disclose any confidential information gained by reason of the employment position concerning the property, operations, policies or affairs of the District, or use such confidential information to advance any personal interest, financial or otherwise.
3. Make personal investments that could reasonably be expected to create a substantial conflict between the employee’s private interest and the public interest.
4. Accept other employment, compensation or engage in a business or professional activity that could reasonably be expected to impair the employee’s independence of judgment in performance of official duties or create a conflict between the employee’s private interest and the public interest.
5. Write a personal letter on District stationary or use other District equipment or resources for personal business or gain.

## Warning Signs of Ethical Impropriety

Every employee of the District is responsible for adhering to the ethical standards prescribed in this Orientation Booklet and the Employee Code of Ethics and Standards of Conduct administrative regulation.

District employees owe a responsibility to the public in the performance of their duties. Public trust requires that employees avoid even the appearance of impropriety or of a conflict of interest between their professional responsibilities and their personal business interests.

### **Warning Signs:** *You're on Thin Ethical Ice When you Hear:*

- a. "Well, maybe just this once . . ."
- b. "No one will ever know . . ."
- c. "It doesn't matter how it gets done as long as it gets done."
- d. "It sounds too good to be true."
- e. "Everyone does it."
- f. "Shred that document."
- g. "We can hide it."
- h. "No one will get hurt."
- i. "What's in it for me?"
- j. "This will destroy the competition."
- k. "We didn't have this conversation."
- l. "You didn't hear this from me."
- m. "Off the record."

### **Quick Quiz - When In Doubt, Ask Yourself:**

- a. How will it look in the newspaper?
- b. Am I being fair and honest?
- c. Will my action stand the test of time?
- d. How will I feel about myself afterwards?
- e. Are my actions legal?
- f. Will I sleep soundly tonight?
- g. What would I tell my child to do?
- h. How would I feel if my family, friends, and neighbors knew what I was doing?

Employees shall comply with the code of ethics and standards of conduct set out in this Orientation Booklet that impose duties, requirements, or standards pertaining to their status as District employees. This Orientation Booklet does not provide all the information pertinent to conduct and ethics, and employees must assume the responsibility for acquiring the knowledge necessary to perform and comply as expected. Additional sources for employee policies, procedures, and regulations are: the Employee Handbook and the District Policy Manual, both online on the FWISD website: [www.fwisd.org](http://www.fwisd.org) ; and the Administrative Regulations in the First Class email system. The FWISD Policy Manual is also online on the TASB website: [www.tasb.org](http://www.tasb.org) . For additional information or resources regarding FWISD's policies and procedures, you may also contact your supervisor.

## **EMPLOYEE WELFARE**

### ***Asbestos Management Plan - Legal and/or Policy – CKA***

The District is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for all District property. A copy of the District's management plan is kept in the Central Services Department and is available for inspection during normal business hours.

### ***Bad Weather Closing - Legal and/or Local Policy – CKC***

The District may close schools because of bad weather or emergency conditions. The Superintendent, or designee, shall make the official decision concerning the closing of the District's facilities. When it becomes necessary to close schools, start late or release students early, local radio and television stations shall be notified by school officials.

### ***Emergencies - Legal and/or Local Policy – CKC***

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

### ***Employee Welfare, Right to Know Communications - Legal and/or Local Policy – DI***

The District will post and maintain the appropriate notices in compliance with the laws of the Texas Board of Health in the workplace: Hazmat, Right to Know, Hazardous Communications, etc.

Additionally, the District will provide education and training for employees using, training, or handling hazardous chemicals. A chemical list that includes required information for each hazardous chemical normally present in the workplace or temporary workplace in excess of 55 gallons or 500 pounds or as determined by the Texas Board of Health for certain highly toxic or dangerous hazardous chemicals will be kept by the District.

New or existing stocks of hazardous chemicals shall be labeled according to the law with the intensity of the chemical and appropriate hazard warnings.

### ***Pest Control Treatment - Legal and/or Local Policy – DI***

Notices of planned pest control treatment will be posted in District buildings 50 hours before treatment begins. Notices are generally located in an area of common access. Pest control information sheets are available from campus principals or facility managers upon request.

## ***Safety - Legal and/or Local Policy – CK***

The District has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve District equipment, employees must comply with the following requirements:

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

Employees with questions or concerns relating to safety programs and issues can contact the Student Affairs Department at 817-814-2954.

## ***Employee Assistance Program***

Confidential help and counseling is available to all benefits-eligible employees and their immediate family members through the FWISD worker's assistance provider, Employee Assistance Program. Please make use of this valuable "free of charge" benefit provided by Fort Worth ISD for the welfare of its employees. For more details please read the letter on the following page.



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100 N. University Dr./ Fort Worth, Texas 76107-1360/ Telephone: 817-814-2790

## Employee Assistance Program Letter

Dear Fort Worth ISD benefits-eligible employees and their family members:

There are many factors that contribute to your well-being and to promoting balance between work and home life. Therefore, Fort Worth ISD makes available to benefits-eligible employees and their family members an **Employee Assistance Program (EAP)** as a resource to assist you in addressing these concerns.

The program can provide you with **confidential** advice, counseling and referral services on a variety of issues. The program is available to assist employees and their families that are experiencing the normal, everyday challenges of life such as:

- Marital Issues
- Family Relationships Difficulties
- Depression/Anxiety
- Grief and Loss
- Stress
- Work-Related Concerns
- Financial and Legal Concerns
- Drug or Alcohol Related Problems
- Other Personal Concerns

The services provided by the Employee Assistance Program are **free of charge** and **confidential**. You may contact the program directly and do not need authorization from Fort Worth ISD administration or your insurance provider. We encourage you to make use of these services whenever you feel it is necessary.

Fort Worth ISD has contracted with **Alliance Work Partners** to provide our Employee Assistance Program services. Program counselors are readily available to you away from our premises for counseling or referral to other professionals where this is indicated. When you have a need to contact the Employee Assistance Program, simply call **1-800-343-3822** to arrange for an appointment. You are eligible for (1) counseling session per person per fiscal year. Helpful and informative newsletters called **“EAP Payroll Stuffers”** and **“Working Solutions”** will also be provided on a monthly basis via your FWISD e-mail news.

The **Employee Assistance Program** provides a convenient way for you to obtain professional assistance in strict confidence. We hope you will feel free to use this benefit if you need assistance.

## **Leaves and Absences**

*Legal and/or Local Policy – DEC*

FWISD offers employees, other than substitute or temporary, paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and criteria for leaves of absence. Employees who have personal needs that will require a leave of absence of more than 10 days should call 817-814-2793 or visit the Employee Relations Department for counseling about leave options, continuation of benefits, and communicating with the District. Employees anticipating a leave of absence of more than 10 days are required to appear in person at the Employee Relations Department to fill out a Form 100. Before returning to work, the employee will need to report to the Health Services Department with a written statement from their health care provider annotating restrictions, if any, and the specific date the employee is released to return to work. Upon completion of a Release to Return to Work Form, the employee will be directed to the Employee Relations office in order to finalize the paperwork necessary for returning to work.

Health care benefits for employees on paid or Family Medical Leave will be paid by the District. The District does not make benefit contributions for employees who are not on active payroll status. Employees who take an unpaid leave of absence that is not covered by FMLA may continue their insurance benefits at their own expense. Employees on Family Medical Leave, in a no pay status, will be notified by Employee Benefits of the need to continue insurance premiums in order to retain coverage.

Any employee who is absent more than two days due to a personal or family illness must submit a written statement or release from a qualified health care provider confirming the specific dates and fitness to return to work.

Personal and local sick leave is earned on an annual basis for most employees. Hourly employees entitled to personal leave accrue sick leave as it is earned. Leave is available for the employee's use on the first day of employment for most employees and as accrued for hourly employees. If an employee leaves the District before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck.

### ***Assault Leave***

Assault leave provides income and benefits protection to anyone injured as a result of a physical assault suffered during the performance of his or her job. Employees must submit a written request for the assault leave to the Employee Relations Division, who will investigate the assault claim. Employees granted assault leave may take the leave time medically necessary (up to two years) to recover from the physical injuries sustained. Leave days granted under the assault leave provision will not be deducted from accrued personal leave or counted against the employee's family and medical leave entitlement and must be coordinated with workers' compensation benefits.

**Note:** Upon investigation of the claim, the District may change the assault leave status and charge the leave against the employee's accrued sick leave or against the employee's pay if insufficient accrued sick leave is available.

### ***Bereavement Leave***

All District employees (except substitute or temporary) are eligible for bereavement leave. Employees may use up to five (5) workdays per occurrence, subject to the approval of the District. However only two (2) days shall be permitted at no loss of state or local leave. This leave shall be limited to five (5) occurrences in two (2) year cycles. If the leave exceeds two (2) days, then it shall be charged to the

employee's accumulated available leave. Use of state leave and/or District sick leave shall be in accordance with District policies.

For employees who have no available leave at the time of death in the immediate family, the District shall subsidize the employee's pay, less the cost of appropriate substitute pay, up to three days per year.

For Bereavement Leave purposes, immediate family is defined as the employee's:

- Spouse;
- Son or daughter, including biological, adopted, or foster child; a current son or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis;
- Parent, stepparent, current parent-in-law, or other individual who stands in loco parentis to the employee;
- Sibling, stepsibling, current brother or sister in-law;
- Grandparent, grandchild, spouse's grandparent.

The absence shall not extend beyond seven (**7**) consecutive calendar days; inclusive of holidays and fall, winter, spring and summer breaks. Bereavement leave may begin on the day of the death, or any day prior to and including the day of the funeral, at the employee's discretion. The employee shall report the absence to the automated absence reporting system. The principal or immediate supervisor or appropriate designee shall also be notified. A written statement shall be submitted indicating the number of days absent and the relationship of the deceased. The statement will be kept on file by the principal, supervisor or appropriate designee and a copy sent to the payroll office. Proper documentation must be provided for all bereavement leave.

### ***Court Appearances/Subpoenaed Witness Leave***

This leave will allow employees to comply with an official petit jury summons or to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding that is not pursuant to the employee's personal business or personal reasons. The leave shall extend as long as the employee is officially serving on a petit jury or for the duration of the subpoena.

Employees will receive leave with pay at no loss of accumulated leave for the duration of the service. Employees must report back to duty upon release if four or more hours are left in the workday. Absences for court appearances related to an employee's personal business must be taken as personal leave or leave without pay if no personal leave is available. Employees on jury duty must verify their service by submitting documentation of the service to the payroll office (copy of the jury summons or subpoena) and will be allowed to retain any compensation received.

**Service on a grand jury is considered voluntary and must be approved in advance by the immediate supervisor. This service, if approved, shall be deducted from the employee's accrued leave (restricted to personal state leave or vacation) or taken as leave without pay, at the option of the employee.**

### ***Family and Medical Leave***

Employees who work in a District that employs at least 50 employees within a 75 mile radius, have been employed by the District for at least 12 months, and have worked at least 1,250 hours during that time are eligible for up to 12 weeks of unpaid family and medical leave each fiscal school year (*Sept. 1<sup>st</sup> – Aug. 31<sup>st</sup>*) for the following reasons:

- *The birth, adoption, or foster placement of a child;*
- *To care for a spouse with a serious health condition,*

- To care for a parent with a serious health condition (the term parent does not include “in-law”),
- To care for a child with a serious health condition (the term child does not include children over the age of 18 unless they are incapable of self-care due to a physical or mental disability);
- Because of the employee’s serious health condition, or
- A qualifying exigency resulting from active military service of a spouse, child, or parent

In some circumstances, with approval, family and medical leave may be taken intermittently in blocks of time or by reducing an employee’s normal weekly or daily work schedule. Intermittent leave may be taken under the following circumstances:

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

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

**Family Leave - Military service.** Eligible employees are entitled to care for an active duty military service member who incurs a serious illness or injury in the line of duty. The service member must be the employee’s spouse, child, parent, or next of kin. An eligible employee may take up to 26 weeks on a one-time basis to provide care to a covered service member.

Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job at the end of their leave. Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

Family medical leave runs concurrently with all paid or unpaid medically related leaves. The District requires the use of paid leave days, if available.

When the need for family and medical leave is foreseeable, employees must provide a 30-day advance notice; when the need for leave is an emergency, employees must contact the Employee Relations Division at 817-814-2792 as soon as possible to process their request. Employees requesting leave may be required to do the following:

- Provide medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member:
  - Spouse,
  - Child (the term child does not include children over the age of 18 unless they are incapable of self-care due to a physical or mental disability), or
  - Parent (the term parent does not include “in-law”).
- Provide second or third medical opinions and periodic re-certification of the need for leave
- Provide periodic reports during the leave regarding the status and intent to return to work
- Provide medical certification from a qualified health care provider of the employee’s ability to return to work at the conclusion of the leave.
- Provide certification of the need for family military leave

Employees requiring family and medical leave should contact the Employee Relations Department at 817-814-2793 for details on eligibility, requirements, and limitations and, if eligible, **must come in person to the Employee Relations section of Human Capital Management to fill out a Form 100 prior to going out on a Family Medical Leave.**



## ***Maternity Leave***

District employees (except substitute or temporary) are granted up to six (6) consecutive calendar weeks of maternity leave. Compensation is without pay except to the extent the employee has vacation, state personal leave, and/or District sick leave available. After one year of service to the District, if the employee does not have a sufficient number of leave days to cover the absence, the employee is eligible for sub-dock pay granted at their daily rate less the cost of appropriate substitute pay for up to four consecutive calendar weeks. Employees must have exhausted all available leave days before being eligible for sub-dock pay. The combination of state personal leave, vacation, District sick leave days and days subsidized at sub-dock pay shall not exceed six (6) consecutive calendar weeks. The employee shall report all leave taken to the automated absence reporting system as well as notify the principal, immediate supervisor or appropriate designee. The Employee Relations Division in the Human Capital Management may be contacted for the application procedure. **Employees requesting Maternity Leave must come in person to the Employee Relations section of Human Capital Management to fill out a Form 100 prior to going out on Maternity Leave.**

Under the Family Medical Leave Act, *eligible* employees may take up to 12 work weeks off during the District's fiscal year. FMLA is without pay, except to the extent that an employee has leave days available. Maternity leave runs concurrent with FMLA. For more information on maternity leave, please contact Employee Relations at 817-814-2793

## ***Military leave***

- **Paid leave for military service.** Any employee who is a member of the Texas National Guard, Texas State Guard, or reserves 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. Military leave will not exceed 15 days per year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

- **Re-employment after military leave.** Employees who leave the District to enter into the United States uniformed services or are ordered to active military service may return to employment if they are honorably discharged and released within five years.

Employees who wish to return to the District will be reemployed in the same position they previously held or reassigned to a position of similar seniority, status, and pay, provided they are qualified to perform the required duties of the position. Application for reemployment and evidence of honorable discharge or release must be submitted to the Human Capital Management within 90 days of discharge or release.

Employees who serve in the uniformed services may continue their health plan coverage **at their own cost** for a period not to exceed 18 months. Employees may contact the Employee Benefits Department for details on eligibility, requirements, and limitations.

## ***Regular Leave of Absence***

All District employees (not substitute or temporary) after completion of three years of service may request a leave of absence, not to exceed one year. The Superintendent or designee may give consideration to a leave of absence request to employees who have completed less than three years. Criteria for Regular Leave of Absence:

- Serious illness of the employee;
- Serious illness of the employee's immediate family;
- Child care;
- Personal hardship (facts justifying the request shall be submitted);

- Study in an institution of higher learning (verification of acceptance required);
- Extensive travel that may be considered of equal educational value to training or research in an institution of higher learning;
- Special service related to education at an approved college or university, Texas Education Agency, governmental agencies, exchange teaching, recognized professional organizations, Peace Corps, Job Corps, or elective office.

Applications for a Regular Leave of Absence for the beginning of the following school year must be made in writing to Human Capital Management by May 1<sup>st</sup>. Exceptions to the May 1<sup>st</sup> deadline in case of emergencies or extenuating circumstances may be requested in writing to the Human Capital Management. Employees wishing to return to regular employment must notify the Human Capital Management in writing not later than the 45<sup>th</sup> day prior to the first day of instruction for the following school year. Notice of intent to return does not guarantee employment. The employee shall be assigned or reassigned subject to availability of a position for which the employee is qualified. Failure to provide the notice of intent to return to work by the 45<sup>th</sup> day may result in a recommendation for termination or non-renewal of employment in accordance with appropriate board policies. Regular Leaves of Absence may only be granted once in a seven year span. Exceptions to this timeframe can be approved solely by the Superintendent. One approved, a Regular Leave of Absence extends for one full school year, or the remainder of one school year.

### ***Reporting Leaves and Absences***

Employees must follow District and department/campus procedures to report/request any leave and as appropriate complete the leave request Form 100. Employees must report all leaves and absences on the automated absence reporting system. Please do not automatically request a substitute. Check with your supervisor to see if a substitute is required for your position. In addition to calling the automated absence reporting system, you must also notify your immediate supervisor of the absence on the day of the absence. Absences can also be reported by going to the internet and logging in to the Web Center at:

<https://sub.fwisd.org/logOnInitAction.do>

### ***Sick/Personal Leave***

***Sick Leave:*** Full-time employees receive five to seven days of local sick leave per year, depending on the number of days worked. These days may be accumulated each year. For most employees, leave is accrued from the first day worked at the rate of one day per month worked in the year and given to employees at the beginning of the year. Eligible hourly employees accrue one day of sick leave per full-time month worked and may be used only after accrual. A doctor's note is required upon an employee's return to work if he/she is out more than two consecutive days on personal sick leave or family emergency leave due to illness. Previously accumulated state sick and state personal leave is available for use and may be transferred to other Texas School Districts. Sick leave can be used only in half or whole day increments. Employees who use more sick leave than they have earned, will have the cost of unearned sick leave deducted from their next paycheck.

Sick leave may be used for the following reasons: Employee illness, illness or death in the immediate family, family emergency (i.e. natural disasters or life-threatening situations), and active military service. Additional sick leave is available for full-time employees through a program that allows employees to receive sick days for catastrophic illnesses or accidents. Booklets with an explanation of this benefit and the forms for applying are available upon request at your work site or by calling the District's Health Services Department.

**Personal Leave:** State law requires that full-time employees receive up to five days of paid personal leave a year. A day of earned personal leave is equivalent to an assigned workday. There is no limit on accumulation of state personal leave. It is transferred to all Texas school districts and is generally transferable to education service centers.

- This leave can be used at the employee’s discretion for any purpose, including personal or family illness, family emergency, or bereavement leave.
- A notice of request shall be submitted to the principal/supervisor or designee three days in advance of the anticipated absence. Use of the leave shall be considered granted unless the employee receives notification to the contrary within 24 hours of the requested absence.
- The employee must report the leave to the automated absence reporting system.
- This leave may not be taken for more than two consecutive workdays, except with the approval of the department head/designee, or principal/designee.
- If absent more than two consecutive days for personal illness or for family illness, employees shall submit an original statement/release from the health care provider. The statement shall contain specific dates of illness and date able to return to work.
- Use of state personal leave is not permitted on the day before or after a school holiday, inclusive of fall, winter, spring, and summer breaks; days scheduled for end of semester or end of year exams; days during the first or last week schools are in session, or days scheduled for TAKS tests, except for personal or family illness, family emergency, or bereavement leave. (Appropriate documentation will be required.)

### ***Temporary Disability***

The purpose of temporary disability leave is to provide leave to all District employees (not substitute or temporary) who can’t work for an extended period of time because of a temporary mental or physical disability. Pregnancy and related conditions are treated the same as temporary disability. Employees can go on temporary disability voluntarily or involuntarily. Employees placed on involuntary temporary disability leave have the right to request a hearing before the Board of Education. The employee may protest the action and present evidence of fitness to work.

Employees requesting approval for temporary disability leave must do so through the Employee Relations Department. The leave request must be accompanied by a physician’s statement confirming the employee’s inability to work and estimating a return date. If the leave is approved, the duration can be up to 180 calendar days; if not approved, the employee must return to work or be subject to termination procedures.

Employees must come in person to the Employee Relations Department to fill out a Form 100 for leaves of 10 or more days. Also, before returning to work employees must report to the District’s Health Services Department with a written notice from their health care provider confirming their ability to do the job. Employees must notify Employee Relations at least 30 days in advance prior to returning to work. Upon return to duty, the employee shall be assigned subject to availability of a position for which he/she is qualified. For Chapter 21 employees: if a position is not available before the end of the school year, the employee will be reinstated at the beginning of the following school year in compliance with the Texas Education Code. **Worker’s Compensation:** Please see ***Compensation and Benefits***.

## General Procedures

### ***Personnel Records - Legal and/or Local Policy – GBA***

Most District and personnel records are public information and must be released upon request. A limited amount of personal information may be withheld. Certain personal employee information is received by the District from the Employee Information Form 101 completed by each employee when hired. On this form, an employee may elect to withhold or release personal information per The Texas Public Information Act.

**Change in Status:** Certain events in an employee's life such as death of a spouse, marriage, divorce, childbirth, etc. may require changes in status. If an employee needs to change his or her name, add a spouse/child to insurance, or change a beneficiary, the employee must go to the Employee Benefits Department with proof of the "qualifying event." Note: Changes to insurance must be made within 30 days of the "event".

### ***Purchasing Procedures - Legal and Local Policy – CH***

Requests for purchases must be submitted electronically to the Purchasing Department with appropriate approvals. Purchases, charges, or commitments to buy goods/services for the District cannot be made without a PO number. The District will not reimburse or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies/equipment for personal use through the District's business office. Contact the Purchasing Dept. at 817-814-2205 for additional information on purchasing procedures.

## **Termination of Employment**

### ***Dismissal or Non-Renewal of Contract Employees***

*Legal and/or Local Policies – DFAA, DFAB, DFBA, DFBB, DFCA, DFD, DFF*

Employees on probationary, term, and continuing contracts can be dismissed during the school year or non-renewed at the end of the year according to the procedures outlined in District policies. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. Time lines/procedures to be followed when a suspension, termination, or non-renewal occurs will be provided with the written notice given to the employee. Information on time lines and procedures can be found in Board Policy DF and DFBB . Reduction in force (RIF) procedures can be found in Board Policy DFF Local.

### ***Dismissal/Termination of At-Will Employees***

*Legal and/or Local Policy – DCD*

FWISD adheres to the common-law doctrine of at-will employment. In this vein, employees may be dismissed with or without notice and with or without cause. However, the District is committed to dealing with its employees fairly and ethically while maintaining efficiency and productivity. Further, it is unlawful for the District to dismiss any employee for reasons based on race, religion, national origin, disability, sex, military status, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights.

At-will employees suspended without pay, demoted, or dismissed from employment with the District are entitled to request a review of the action taken. The timelines and procedures to be followed by the employee in requesting a review are found in Local Policy DCD or can be requested through the Human Capital Management' division of Employee Relations.

At-Will employees who are absent from the workplace for four consecutive workdays, without authorized leave or proof of incapacity, shall thereby be deemed to have effectively abandoned his or her position with the District and will be terminated. Once documented, accepted and processed, the termination may not be withdrawn without consent of the Board of Trustees or its designee. The employee and the employee's supervisor will be notified by the Chief of Human Capital Management or designee of the termination by conduct and its effective date.

### ***Exit Interviews and Procedures - Legal and/or Local Policy – DC***

An exit interview questionnaire that provides the District with feedback on the employment experience will be provided to all employees leaving the District. Information on the continuation of benefits and records request(s) will be provided at this time. Employees leaving the District are asked to provide a forwarding address and phone number. All District keys, books, property, and equipment must be returned upon separation from employment.

### ***Reports to the Commissioner - Legal and/or Local Policy – DF***

The Superintendent will report the dismissal or resignation of a certified employee to the Texas Commissioner of Education by if there is reasonable evidence that the employee's conduct involves any of the following:

- Any form of sexual/physical abuse of a minor or any other illegal conduct with a student or a minor.
- The possession, transfer, sale, or distribution of a controlled substance.
- The illegal transfer, appropriation, or expenditure of school property or funds.
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position.
- Committing a crime on school property or at a school-sponsored event.

### ***Resignations - Legal and/or Local Policies – DF, DFE***

Employees may resign at any time convenient to the District and as set forth below:

- **Contract Employees:** Teachers may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the Human Capital Management. Contract employees may resign at any other time with the approval of the Board of Trustees. Resignation without the consent of the Board may result in disciplinary action by the State Board for Educator Certification. Non-teaching contract employees should give a 15 working day notice during term of contract.
- **At-Will Employees:** At-will employees may resign their positions at any time. A written notice of resignation should be submitted to the Human Capital Management with a copy to the supervisor. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so. Additionally, at-will employees are required to give the District a two- week notice if possible.

### ***Retirements - Legal and/or Local Policy – DEG***

All personnel employed on a regular basis for at least one-half of the normal work schedule are members of the Texas Teacher Retirement System (TRS). Substitutes and part-time employees who work at least 90 days a year are eligible for TRS membership and to purchase a year of creditable service for each year worked. TRS provides members with an annual statement of their account showing all deposits and total account balance for the year ending August 31, as well as an estimate of their retirement benefits. Please see Service Records and Credit, page16, for further details on the purchase of Service Credit for Certified Substitute Teaching and Part-Time Service.

*Employees planning to retire under TRS should notify the Employee Relations Division at 817-814-2793 as soon as possible to obtain the application procedures. Additional inquiries may be addressed to: Teacher Retirement System of Texas (TRS), 1000 Red River Street, Austin, TX 78701-2698, or call 1-800-223-8778 or 512-542-6400.*