

Midlothian ISD



2011 - 2012 Employee Handbook

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Employee Handbook Receipt

Name _____ Campus/Department _____

I hereby acknowledge that the Midlothian ISD Employee Handbook has been made available to me for viewing and copying by going to the staff webpage on the district website at www.midlothian-isd.net.

The information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or render obsolete the information summarized in this book. As the district provides updated policy information, I accept responsibility for reading and abiding by the changes.

I understand that no modifications to contractual relationships or alterations of at-will employment relationships are intended by this handbook.

I understand that I have an obligation to inform my supervisor or department head of any changes in personal information such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the Deputy Superintendent if I have questions or concerns or need further explanation.

Signature

Date

Acknowledgement of Electronic Distribution of Policies

I hereby acknowledge that I have been offered the option to receive a paper copy or to electronically access at www.midlothian-isd.net the Board policies regarding employment as required under Education Code 21.204(d) and the Board policies regarding student discipline as required under Education Code 37.018.

I have chosen to:

- Receive a paper copy of the employee handbook.
- Receive the employee handbook in electronic format and accept responsibility for accessing according to the instructions provided.

I have been trained to access these policies from the District's Web page and understand that if I have any questions regarding these policies, I should direct those questions to the Deputy Superintendent at 972.775.8296

Signature

Date

You have been given two copies of this form. Please sign and date one and keep it. Sign and date the other copy and forward it to your immediate supervisor.

Employee Handbook Receipt

Name _____ Campus/Department _____

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Signature

Date

You have been given two copies of this form. Please sign and date one and keep it. Sign and date the other copy and forward it to your immediate supervisor.

Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Human Resources Department.

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed on line at www.midlothian-isd.net.

District Information

Description of the District

The Midlothian Independent School District is located in the northern sector of Ellis County. The school district has approximately 113 square miles within its boundaries. It is bounded on the north by the populous Dallas and Tarrant Counties and is approximately thirty miles from the center of Metropolitan Dallas and Fort Worth at the crossroads of Highway 287 and 67.

The city and the surrounding communities are composed predominately of industrial workers employed in local cement and steel factories and suburbanites who commute to Dallas and Fort Worth. Three large cement producing factories have caused Midlothian to be dubbed the Cement Capital of Texas. These factories and a steel producing plant are the principal industries of the area.

The Midlothian Independent School District, as the local agency for the educational process, recognizes its responsibility to provide the best educational opportunities possible to each individual student. Each student is entitled to the opportunity to develop to a maximum level of his or her mental, physical, emotional and social capabilities in order to become an effective partner in the democratic society.

Education is a process of continuous growth. The Midlothian schools, through outstanding staff, continued community-parent support and efforts to provide an effective, relevant school program, is dedicated to its vital role in the growing process of the youth of the community.

Statistics

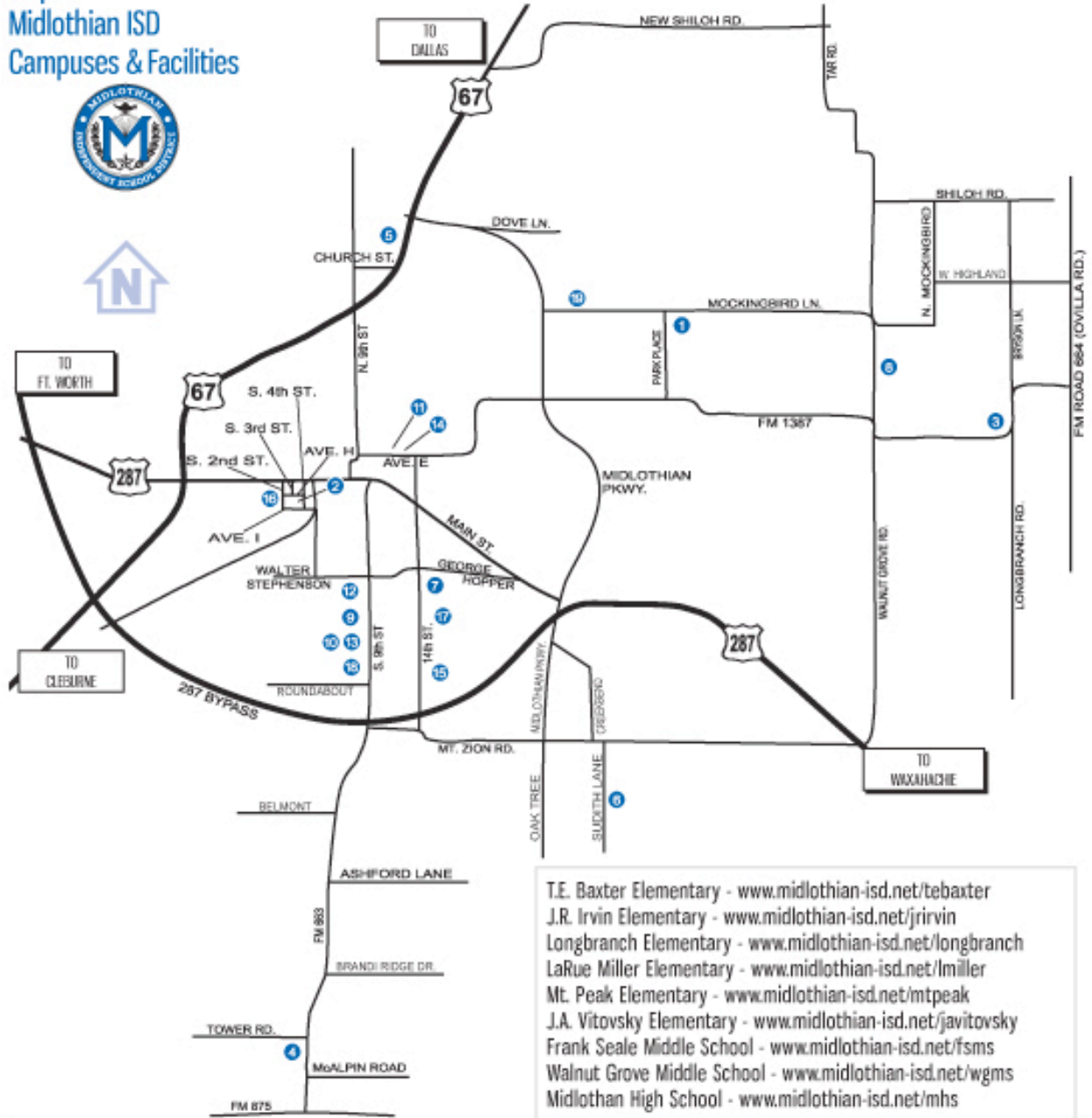
- 113 square miles comprised of the communities of Midlothian, Ovilla, Britton, Mountain Peak, and Sardis.
- Located in Ellis County South of Dallas/Fort Worth at the crossroads of Highways 287 and 67.
- Facilities: 6 Elementary Schools (PK-5), 2 Middle Schools (6-8), 1 High School (9-12).
- Total Enrollment:

- 1995-1996 – 3,431
- 1996-1997 – 3,582
- 1997-1998 – 3,843
- 1998-1999 – 4,082
- 1999-2000 – 4,163
- 2000-2001 – 4,367
- 2001-2002 – 4,715
- 2002-2003 – 5,065
- 2003-2004 – 5,415

- 2004-2005 – 5,749
- 2005-2006 – 6,182
- 2006-2007 – 6,557
- 2007-2008 – 6,855
- 2008-2009 – 7,144
- 2009-2010 – 7,358
- 2010-2011 – 7,514

- 2011 – 2012 Projections
 - High School (9-12) 2417
 - Middle School (6-8) 1806
 - Elementary (PPCD-5) 3539
- Total Projected Enrollment 7762
- Growth of about 3.0 %

Map of Midlothian ISD Campuses & Facilities



T.E. Baxter Elementary - www.midlothian-isd.net/tebaxter
 J.R. Irvin Elementary - www.midlothian-isd.net/jrirvin
 Longbranch Elementary - www.midlothian-isd.net/longbranch
 LaRue Miller Elementary - www.midlothian-isd.net/lmiller
 Mt. Peak Elementary - www.midlothian-isd.net/mtpeak
 J.A. Vitovsky Elementary - www.midlothian-isd.net/javitovsky
 Frank Seale Middle School - www.midlothian-isd.net/fsms
 Walnut Grove Middle School - www.midlothian-isd.net/wgms
 Midlothian High School - www.midlothian-isd.net/mhs

- | | | | |
|--|--|---|---|
| 1. T.E. Baxter Elementary (Pre-K - 5th)
1050 Park Place
972-775-8281 F: 972-775-3154 | 6. LaRue Miller Elementary (K - 5th)
2800 Sudith Lane
972-775-4497 F: 972-775-4316 | 11. MISD Childcare Center
Laura Jenkins Development Center
315 East Avenue E
972-775-8955 | 14. Auxiliary Center
601 East Avenue E F: 972-775-1805
Food Service: F: 972-775-1614
Transportation: F: 972-723-1757 |
| 2. J.R. Irvin Elementary (K - 5th)
700 West Avenue H
972-775-8239 F: 972-775-3179 | 7. Frank Seale Middle School (6 - 8th)
700 George Hopper Rd.
972-775-6145 F: 972-775-1602 | 12. J.A. Mills Administration Building
100 Walter Stephenson Rd.
972-775-8296 F: 972-775-1757
DAEP:
972-775-5311 F: 972-775-7904
Special Ed:
972-775-8296 F: 972-775-6091 | 15. Multi-Purpose Stadium
1800 South 14th Street
972-775-6434 |
| 3. Longbranch Elementary (K - 5th)
6631 FM 1387
972-775-2830 F: 972-775-2024 | 8. Walnut Grove Middle School (6 - 8th)
990 N. Walnut Grove Rd.
972-775-5355 F: 972-775-8127 | 13. A.J. Meadows Library
972-775-3417 F: 972-775-5630 | 16. Maintenance
220 South 2nd Ave.
972-775-1148 F: 972-775-1932 |
| 4. Mt. Peak Elementary (Pre-K - 5th)
5201 FM 663
972-775-2881 F: 972-775-2054 | 9. Midlothian High School (9 - 12th)
923 South 9th Street
972-775-8237 F: 972-775-3178 | | 17. Midlothian Sports Complex |
| 5. J.A. Vitovsky Elementary (Pre-K - 5th)
333 Church Street
972-775-5536 F: 972-775-5532 | 10. Athletic Office
MHS Arena
972-775-8174 F: 972-775-5931 | | 18. Agricultural Building |
| | | | 19. Agricultural Science Facility
1851 Mockingbird Ln.
972-775-3762 F: 972-774-8419 |

Mission Statement, Goals, and Objectives

Policy AE

The mission of the Midlothian Independent School District is to develop ethical, life-long learners by passionately providing individualized quality education in a global society through collaboration of school, home, and community that cultivates self-worth, strengthens character, and recognizes diversity which cements a solid structural foundation for community-minded, service-oriented citizens

Board of Trustees

Policies BA, BB series, BD series, and BE series

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

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

Current board members include:

- Duke Burge - President
- Phil Seay – Vice President
- Wayne Shuffield - Secretary
- Jim Mentzel - Member
- Tom Moore - Member
- Jay Roberts - Member
- Cindy Williams - Member

The board usually meets the third Monday of each month at 6:30 p.m. in the boardroom of the L. A. Mills Administration Building. In the event that large attendance is anticipated, the board may meet at a site to be announced. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district Web site and on the window by the front door of the L. A. Mills Administration Building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

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

Board Meeting Schedule for 2011–2012

August 15, 2011	February 20, 2012
September 19, 2011	March 26, 2012*
October 17, 2011	April 16, 2012
November 14, 2011*	May 21, 2012
December 19, 2011	June 18, 2012
January 16, 2012	July 16, 2012

Administration

Administration Building

100 Walter Stephenson Road

Phone 972-775-8296

Metro 972-723-6290

Fax 972-775-1757

Superintendent

Deputy Superintendent

Assistant Superintendent for Learning

Assistant Superintendent for Finance and Operations

Public Relations Coordinator

Director of Curriculum

Curriculum Coordinator/District Testing

Elementary Curriculum Coordinator

Executive Director of Technology

Learning Technology Director

Director of Construction Projects & Maintenance

Payroll Supervisor

PEIMS Coordinator

Executive Director of Specialized Learning

Special Programs Director/ADA/504 Director

Technology Coordinator

Webmaster

Dr. Jerome Stewart

Robin Bullock

Judy Walling

Dr. Edd Bigbee

Jana Hathorne

Diane Foster

Kim Gilson

Karena Blackwell

Kirk Paschall

Nancy Bergvall

David Boswell

Kim Melton

Kim Domke

Melissa Wolfe

Lisa Knight

Jerry Allen

Dennis King

Midlothian High School (Grades 9-12)

923 South Ninth Street

Phone 972-775-8237

Fax 972-775-3178

Principal

Associate Principal

Assistant Principal

Assistant Principal

Assistant Principal

Assistant Principal

Assistant Principal

MHS Registrar

Dr. Al Hemmle

Becky Thompson

Robert Kindred

Kelly Johnson

Krista Tipton

Sharon Zabloski

Rick Pinson

Harriette Fowler

Frank Seale Middle School (Grades 6-8)

700 George Hopper Road

Phone 972-775-6145

Fax 972-775-1502

Principal

Assistant Principal

Assistant Principal

Dee Arterburn

Natalie Dennington

Coy Tipton

Walnut Grove Middle School (Grades 6-8)

990 N. Walnut Grove Rd.

Phone 972-775-5355

Fax 972-775-8127

Principal

Assistant Principal

Assistant Principal

Brian Blackwell

Roger Jaffe

Gordon Butler

J. A. Vitovsky Elementary (K-5)

333 Church Street

Phone 972-775-5536

Fax 972-775-5532

Principal

Assistant Principal

Cherie Wagoner

Kyle Chambers

J. R. Irvin Elementary (Grades K-5)

700 West Avenue H

Phone 972-775-8239

Fax 972-775-3179

Principal

Assistant Principal

Jean Embry

Karena Blackwell

LaRue Miller Elementary (K-5)

2800 Sudith Lane

972-775-4497

Fax 972-775-4316

Principal

Assistant Principal

Beth Van Amburgh

Robin Bass

Longbranch Elementary (K-5)

6631 FM 1387
Phone 972-775-2830
Fax 972-775-2024

Principal
Assistant Principal

Kelly Madden
Cari Nix

Mt. Peak Elementary (PK-5)

5201 FM 663
Phone 972-775-2881
Fax 972-775-2054

Principal
Assistant Principal

Karen Childers
La-Shea Slaydon

T. E. Baxter Elementary (Grades PK-5)

1050 Park Place
Phone 972-775-8281
Fax 972-775-3154

Principal
Assistant Principal

Courtney Carpenter
Anita Day

MISD Child Care Center

315 East Avenue E
972-775-8955

Child Care Director

Glenda Dooley

DAEP Center

925 South Ninth Street
972-775-5311

Director of Alternative Learning

Manny Medina

Athletic Department
925 South Ninth Street
972-775-8174
Fax 972-775-5931

Athletic Director/Title IX Coordinator

Steve Keasler

Aramark Food Service
601 East Avenue E
972-775-2124
Metro 723-8954
Fax 972-775-1614

Director of Food Service

Brian Achille

Maintenance
220 South 2nd Street
972-775-1148
Fax 972-775-1932

Maintenance Coordinator

Dale Cheek

Custodial Department
601 East Avenue E
972-775-1805
Fax 972-723-1757

Custodial Manager

Bill Kaufman

Transportation
601 East Avenue E
972-775-1805
Fax 972-723-1757

Transportation Coordinator

Deanna Cannon

A. H. Meadows High School Library
923 South Ninth Street
972-775-3417

Librarian

Susan Casstevens

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:

Human Resource Department

School Directory

To be issued as soon as possible after school begins.

Employment

Equal Employment Opportunity

Policies DAA, DIA

Midlothian ISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

Employees with questions or concerns about discrimination based on sex, including sexual harassment should contact Steve Keasler, the district Title IX coordinator. Employees with questions or concerns about discrimination on the basis of a disability should contact Executive Director of Specialized Learning, Melissa Wolfe. Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on a regular basis and posted on the district's Website. For positions which require a certificate or license, districts must give 10 days prior notice before filling vacancy, unless the district must fill a vacancy during a school year for a teaching position.

Employment After Retirement

Policy DC

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).

Contract and Noncontract Employment

Policy DC series

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

Probationary Contracts. Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after a two-year lapse in district employment or employees who move to a position requiring a new class of certification may also be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the district may not exceed one school year.

For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the board determines it is doubtful whether a term or continuing contract should be given.

Term Contracts. Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be accessed on line or copies will be provided upon request.

Noncertified Professional and Administrative Employees. Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are employed by a two-year contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code.

Paraprofessional and Auxiliary Employees. All paraprofessional and auxiliary employees, regardless of certification, are employed at will and not by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

Certification and Licenses

Policy DBA

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the Human Resource Department in a timely manner.

A certified employee's contract may be voided without due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Human Resource Department if you have any questions regarding certification or licensure requirements.

Searches and Alcohol and Drug Testing

Policy DHE

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

Employees Required to Have a Commercial Driver's License. Any employee whose duties require a commercial driver's license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of large vehicles, or drivers of vehicles used in the transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee

returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Dr. Edd Bigbee.

Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to their campus nurse by the first day of school.

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 supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by the end of the prior school year on forms provided by the district. Requests for transfer during the school year will be considered

only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resource office and must be approved by the receiving supervisor.

Workload and Work Schedules

Policies DEA, DL

Professional Employees. Professional employees and academic administrators are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including start and end dates and scheduled holidays will be distributed each school year.

Classroom teachers will have planning periods for instructional preparation including conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes 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 are employed at will and receive notification 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 overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

Notification to Parents Regarding Qualifications

Policies DK, DBA

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notification under NCLB is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call the Human Resources Department at 972-775-8296.

Outside Employment and Tutoring

Policy DBD

Employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the district. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest.

Performance Evaluation

Policy DN series

Evaluation of an employee's job performance is a continual process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

Employee Involvement

Policies BQA, BQB

At both the campus and district levels, Midlothian ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the district. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office or from the campus administrator.

Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for noninstructional personnel is designed

to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

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

Compensation and Benefits

Salaries, Wages, and Stipends

Policies DEA, DEAA

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as non-exempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 25.)

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

Employees should contact the Human Resource Department for more information about the district's pay schedules or their own pay.

Annualized Compensation

Policy DEA

The district pays all salaried employees over 12 months regardless of the number of months employed during the school year. Salaried employees will be paid in equal monthly or bimonthly payments, beginning with the first pay period of the school year. Employees that separate after the last day of instruction will continue to receive paychecks through the end of the summer.

Paychecks

All professional and salaried employees are paid monthly. Each employee is required to have direct deposit account information on file where payroll funds will be direct deposited on pay day.

Employees may view payroll information on-line through Employee Access at the following website: <http://skyweb.midlothian-isd.net/scripts/cgiip.exe/WService=wsFin/seplog01.w> or by accessing this information from the MISD web page under Staff and the drop down selection of Employee Access.

The schedule of pay dates for the 2011-2012 school year follows:

Payroll Calendar

Cut-off Date	Pay Day
07/02/11	07/28/11
07/30/11	08/26/11
09/03/11	09/28/11
10/01/11	10/28/11
10/29/11	11/28/11
11/26/11	12/20/11
01/07/12	01/24/12
02/04/12	02/28/12
03/03/12	03/28/12
04/07/12	04/27/12
05/05/12	05/25/12
06/02/12	06/28/12

Payroll Deductions

Policy CFEA

The district is required to make the following automatic payroll deductions:

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans. Employees also may request payroll deduction for payment of membership dues to professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

Overtime Compensation

Policy DEA

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Sunday and ends at midnight Saturday.

Employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

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

Travel Expense Reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor and Assistant Superintendent for Finance and Operations must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. Employees must submit receipts, to the extent possible, to be reimbursed for expenses other than mileage.

Health, Dental, and Life Insurance

Policy CRD

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school employee health insurance program. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Employees eligible for health insurance coverage include the following:

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are regularly scheduled to work at least 10 hours per week

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) and employees who are not contributing TRS members who are regularly scheduled to work less than 10 hours per week, are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each spring. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact the Human Resource Department for more information.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs. Premiums for these programs can be paid by payroll deduction. Employees should contact the Human Resource Department for more information.

Cafeteria Plan Benefits (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., disability, accidental death and dismemberment, cancer and dread disease, dental, and additional term life insurance). A third-party administrator handles employee claims made on these accounts.

New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis and during the specified time period.

Retirement plans available on a pretax basis are:

Section 457 Deferred Compensation (established through the third party administrator)

403(b) Tax Deferred Annuities and 403(b) (7) Tax Deferred-Mutual Funds Option (established through private financial advisors who are approved by the third party administrator)

Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage effective September 1 of every year.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to your supervisor, your building principal and the Human Resource Department. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, page 39 for information on use of paid leave for such absences.

Unemployment Compensation Insurance

Policy CRF

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the Human Resource Department.

Teacher Retirement

Policy DEG

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitute's not receiving TRS service retirement benefits who work at least 90 days a year are also eligible for TRS membership and to purchase a year of creditable service. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify TRS as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.state.tx.us). See page 18 for information on restrictions of employment of retirees in Texas public schools.

Other Benefit Programs

Policy DEB

Children of full-time nonresident District employees may attend District schools tuition free.

Any District provisions regarding insurance programs and/or deferred compensation programs are found in policy CRD (LOCAL).

Leaves and Absences

Policies DEC, DECA, DECB

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call the Human Resource Department for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

Use of Leave. Leave is available for the employee's use at the beginning of the school year. However, state personal and local leave is earned on an annual basis. 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.

Leave must be used in half-day increments. However, if an employee is taking family and medical leave, leave shall be recorded in one-hour increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Local personal
- State sick (if applicable)
- State personal

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification.

Medical Certification. Any employee who is absent more than 5 days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Continuation of Health Insurance. Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

Personal Leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is earned at a rate of one-half workday for each 18 workdays of employment. A day of earned personal leave is equivalent to an assigned workday. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. There are two types of personal leave: nondiscretionary and discretionary.

Nondiscretionary. Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary leave will be granted to employees in the same manner as state sick leave.

Discretionary. Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor two days in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in one day or one half-day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

State sick leave may be used for the following reasons only:

- Employee illness
- Illness in the employee's immediate family
- Family emergency (i.e., natural disasters or life-threatening situations)
- Death in the immediate family
- Active military service

Local Leave

All employees shall earn three workdays of local leave per school year in accordance with administrative regulations. Local leave shall be noncumulative. Local leave shall be used according to the terms and conditions of state personal leave.

Sick Leave Bank (or Pool)

The district shall establish a sick leave bank that employees may join through contribution of local leave. Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee experiences a catastrophic illness or injury and has exhausted all paid leave.

ELIGIBILITY All full-time and permanent part-time employees who have contributed one day of accumulated local sick leave as of September 30 of any school year shall be eligible to participate in the catastrophic sick leave bank for the following school year. Participation shall be voluntary, but requires contribution to the bank.

New staff members employed by the District during any school year must join within 30 days of their employment date by donating one day of the sick leave days to be earned during that year.

Employees who elect not to join the catastrophic sick leave bank at the first opportunity shall not be permitted to join until the subsequent annual open enrollment period.

ADMINISTRATION The catastrophic sick leave bank shall be administered by a committee composed of one representative from each building in the District and chaired by the Deputy Superintendent. The committee shall be selected from the continuing membership. The term shall run from October 1 through September 30.

The committee shall be responsible for receiving requests for days from the bank, verifying the validity of requests, recommending approval or denial of requests, and communicating decisions to the member and to the payroll office. The committee shall meet as the need arises.

CONTRIBUTIONS Contributions made on the appropriate form shall be authorized by the employee and continued from year-to-year until cancelled in writing by the sick leave bank member. Employees who have used days from the bank for previous illnesses must donate one additional sick leave day to the bank beyond what is required for continuing members. Sick leave properly authorized for contribution to the bank shall not be returned if a bank member submits a cancellation. Cancellation of membership on the proper form may be submitted at any time; however, the employee shall not be eligible to use days from the bank as of the effective cancellation date.

In the event that prior to September 1 of a given catastrophic sick leave bank year, the balance of days available for use is not sufficient to cover the number of days needed to meet the needs of the specific year; each participating member shall have one additional day transferred from his or her sick leave account to the catastrophic sick leave bank. If the employee does not have an accrued day available, then a day shall be advanced from the days to be earned during the following fiscal year.

At the end of the school year, any unused bank days shall be carried forward to the next school year. If the balance is equal to two times the number of participants in the bank, those members shall not be required to donate a day to the bank during the next September in order to be members the following year. New employees and other nonmembers shall be permitted to join by donated days in September of the next school year.

USE OF SICK LEAVE BANK DAYS The maximum number of days that may be withdrawn from the bank by a bank member in any one contract year or year of service shall be 30 workdays, unless the committee determines that more days are necessary. In the event the committee determines that more days are necessary, days awarded cannot extend past the day the member is on FMLA or DMLP leave.

Members must use all available paid leave and accrued vacation leave before receiving any days from the bank. Applications for use of days from the bank shall be made on the required form and submitted to the committee. If a bank member does not use all of the days granted from the bank, the unused sick leave bank days shall revert to the bank.

Days from the catastrophic sick leave bank shall be available for use by the contributor for his or her own life-threatening personal illness or disability that may include surgery that cannot be avoided or postponed, or to enable the contributor to be away from his or her work assignment to care for a seriously ill member of the employee's immediate family as that term is defined by this policy, with the following exception: days from the catastrophic sick leave bank shall not be available for a member to care for any seriously ill person who may be residing in the employee's household at the time of illness or death, found at item 6 under DEFINITIONS, FAMILY, on page 1. Only those persons listed at items 1-5 shall qualify.

For purposes of this policy, catastrophic shall include a life-threatening illness or disability as well as an event that results in the entire loss of the member's primary residence due to fire, flood, or tornado.

Days from the bank shall not be available for routine pregnancy but shall be available in the event of complications that endanger the applicant or the fetus. The complications must be verified in detail by the attending physician, specifying why a return to work would be detrimental to the health of the applicant or fetus. Days from the bank shall not be available during the routine six-week recovery period following a normal birth or birth by Caesarian section.

The committee shall have the right to accept or reject any application for days from the bank.

LOSS OF RIGHTS A member of the catastrophic sick leave bank shall lose the right to benefits from the bank in the event of one or more of the following:

1. Termination of employment with the District.
2. During any period of suspension without pay.
3. Voluntary cancellation of membership in the bank by the member on the effective date of the cancellation.
4. Written authorization by the member to discontinue the annual contribution of sick leave days to the bank, as of the date the contribution is due.
5. During an approved leave of absence for a reason other than personal illness.
6. Any violation of bank rules or misuse of bank benefits.

RULES AND PROCEDURES Each separate application for a grant from the bank must include a new statement from the attending physician on the appropriate form. The form shall include authorization by the employee to release medical reports to the District catastrophic sick leave bank committee. The committee shall review and forward its decision to the payroll office within 15 workdays after receipt of the request by the committee chairperson.

A request for days from the bank shall be made on the appropriate form and shall be submitted to the committee within 45 calendar days of the first date use of days from the bank is requested.

All requests must be accompanied by a physician's statement using the District's form stating the beginning date of the condition, describing the life-threatening illness or disability and a prognosis for recovery and anticipated date the employee is expected to return to work.

If the days requested are for the purpose of caring for a qualified family member, the request must state the relationship, the residence of the family member, and include a physician's statement describing the illness or disability and the extent to which the family member is dependent on the employee on a continuing basis.

Prior to making a decision on a request for days from the bank, the committee may require an applicant to undergo for the purpose of a second opinion, a medical review by a physician chosen by the committee. The committee shall not take any action on the applicant's request for days from the bank until it has received directly from the physician the second opinion report.

In the event a member's incapacity prevents the member from applying personally for days from the bank, application may be submitted to the committee by an authorized agent or family member on behalf of the member.

Days granted from the bank shall be in increments of no more than ten consecutive workdays. An applicant may submit a request for an extension of the days granted from the bank before the first grant of days expires by using the appropriate extension of leave form. A new physician's statement must be submitted with the extension of leave form.

All forms for application for participation in the bank, withdrawal of sick leave days from the bank, and membership cancellation forms shall be available in the principal's or the supervisor's office on each campus and in the Human Resource Office, and shall be sent to any member on request.

Copies of all bank donations, sick leave grant requests, and sick leave bank membership cancellation forms shall be marked for approval or denial by the committee. Following such action, the committee shall provide copies of the forms to the bank members and the payroll office.

The Human Resource Office shall maintain all records regarding the operation of the catastrophic sick leave bank. Duties of the Human Resource Office shall be to:

1. Report the status of the catastrophic sick leave bank upon the request of the committee.
2. Provide information to the committee upon request for any data maintained in the Human Resource Office files with regard to an applicant's use of or investment in, the bank.

The Superintendent or designee shall advise committee members of their responsibility under state and federal law to maintain confidentiality requirements. [See DBB and DH(EXHIBIT)]

If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request.

The Superintendent or designee shall develop regulations for the operation of the sick leave bank that address the following:

Membership in the sick leave bank, including the number of days an employee must donate to become a member;

1. Procedures to request leave from the sick leave bank;
2. The maximum number of days per school year a member employee may receive from the sick leave bank;
3. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests;

Other procedures deemed necessary for the operation of the sick leave bank.

APPEAL

All decisions regarding the sick leave bank may be appealed in accordance with DGBA (LOCAL), beginning with the Superintendent or designee.

DISTRICT MEDICAL LEAVE PLAN

ELIGIBILITY - All part-time employees who do not meet the requirements for the Family Medical Leave Act (FMLA) due to limited hours of their position and have not contributed a day of personal leave to the Catastrophic Sick Leave Bank, and have been employed for one school year, shall be eligible to participate in the District Medical Leave Plan. The District Medical Leave Plan grants part-time employees the opportunity to receive up to six weeks of unpaid leave, concurrent with any other leave to which they may be entitled under other policies.

APPEAL

All decisions regarding the District Medical Leave Plan may be appealed in accordance with DGBA (Family and medical leave (FML) – General Provisions

Family and Medical Leave Act (FMLA)—General Provisions

The following text is from the federal notice, *Employee Rights and Responsibilities Under the Family and Medical Leave Act*. Specific information that the district has adopted to implement the FMLA follows this general notice.

Basic Leave Entitlement. The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements. Eligible employees with a spouse, son, daughter, or parent on active military duty and deployed to a foreign country may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for

which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. It also includes a family member who is a veteran with an illness or injury that occurs in the line of duty while on active duty and manifests itself before or after the servicemember became a veteran. The veteran must have been on active duty during the five years preceding the need for treatment, recuperation, or therapy.

Benefits and Protections. During FML, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FML, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FML cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements. Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave. Employees may choose or employers may require use of accrued paid leave while taking FML. In order to use paid leave for FML, employees must comply with the district's normal paid leave policies.

Employee Responsibilities. Employees must provide 30 days advance notice of the need to take FML-when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities. Covered employers must inform employees requesting leave whether they are eligible under the FMLA. If they are eligible, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FML and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FML, the employer must notify the employee.

Unlawful Acts by Employers. The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Enforcement. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any Federal or State law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300 (a) may require additional disclosures.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
www.wagehour.dol.gov

Local Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period beginning on the first duty day of the school year.

Use of Paid Leave. FML runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The district will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently.

Combined Leave for Spouses. A husband and wife who are both employed by the district are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

Intermittent Leave. When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

District Contact. Employees that require FML or have questions should contact the Human Resource Department for details on eligibility, requirements, and limitations.

Temporary Disability Leave

Certified Employees. Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

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

When an employee is ready to return to work, the supervisor and the Human Resource Department should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

Workers' Compensation Benefits

An employee absent from duty because of a job-related illness or injury may be eligible for workers' compensation weekly income benefits if the absence exceeds seven calendar days.

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use accumulated sick leave or any other paid leave benefits. An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or -injury wage. If the use of paid leave is not elected, then the employee will only receive workers' compensation wage benefits for any absence resulting from a work-related illness or injury, which may not equal his or her pre-illness or -injury wage.

Assault Leave

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

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

Bereavement Leave

All employees shall earn two workdays of local bereavement leave per school year, at the same rate as state personal leave. Local bereavement leave shall be non-cumulative and shall be taken with no loss of pay. It shall be available for death in the immediate family only, as defined in this policy.

Jury Duty

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and may keep any compensation they receive.

Other Court Appearances

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use paid leave. Employees may be required to submit documentation of their need for leave for court appearances.

Military Leave

Paid Leave for Military Service. Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave for authorized training or duty orders. Paid military leave is limited to 15 days each federal fiscal year (October 1–September 30). In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Reemployment after Military Leave. Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the period of time specified by law to the Human Resource Department. In most cases, the length of federal military service cannot exceed five years.

Continuation of Health Insurance. Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the Human Resource Department for details on eligibility, requirements, and limitations.

Employee Relations and Communications

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 the district newsletter, and through special events and activities. Recognition and appreciation activities also include annual staff awards ceremony.

District Communications

Throughout the school year, the Midlothian ISD 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.

Maintenance Requests

Employees may communicate their need for repairs or maintenance assistance to their administrator or supervisor in writing or by electronic mail. Only the administrator or supervisor submits requests to the Maintenance Department.

Complaints and Grievances

Policy DGBA

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

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

<http://www.tasb.org/policy/pol/private/070908/>

DGBA (Local)

Employee Conduct and Welfare

Professional Dress Code

Midlothian Independent School District employees shall dress in a manner appropriate to their assignment and in accordance with the standards listed. Instructional and instructional support staff should dress in a professional manner that models an appropriate standard for students.

Male: teachers and staff

- Professional looking dress slacks
- Collared shirt tucked in
- Belts or suspenders
- Tattoos shall be covered
- No earrings or facial jewelry
- No shorts
- Facial hair that is groomed is permitted
- Hair may not extend below the collar of a dress shirt, no ponytails or braids
- No t-shirts allowed in academic setting (except for spirit/campus shirts on special occasions deemed appropriate by campus principal)

Female: teachers and staff

- Professional dresses, shirts, blouses, skirts and/or slacks
- Capris are permitted if they are mid calf, loose fitting around the leg
- No leggings
- Cap sleeves if they extend over the shoulder
- No sleeveless blouses, shirts or dresses
- Low cut blouses will not be allowed
- No more than two earrings per ear
- Tattoos shall be covered
- No skirts or shorts
- No overalls
- No t-shirts allowed in academic setting (except for spirit/campus shirts on special occasions deemed appropriate by campus principal)

**The campus principal will be the sole authority in deciding whether an employee's appearance is appropriate for the school setting.*

Spirit Days

The campus administrator shall designate special days for teachers and staff to wear spirit/staff shirts and jeans. On these designated days, tennis shoes may be worn.

Teachers and staff are encouraged to wear spirit/staff shirts with slacks or docker-styled pants.

Physical Education and/or Coaches

Physical Education teachers should wear shorts that follow the high school dress code of mid-thigh.

Coaches may not wear shorts in the instructional classrooms.

Non-instructional Support Staff (custodial, food service, maintenance, transportation, etc.)

Non-instructional support staff shall be neat, clean, and dressed appropriately as described in their respective handbooks.

Clothing should reflect a businesslike atmosphere, and reflect pride in the work to be done. Styles of clothing should be modest and tasteful. Shorts may not be worn during the instructional day.

Male employee's hair shall be neatly groomed. Male employees shall not wear earrings or facial jewelry.

Standards of Conduct

Policy DH

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

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with department and district policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.

- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.
- Cell phone use by staff is prohibited except for emergencies or during conference periods.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent first learns of the incident. See *Reports to the State Board for Educator Certification*, page 66 for additional information.

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

Texas Educators' Code of Ethics

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 and good moral character. 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. (19 TAC 247.1(b))

Professional Standards

1. Professional Ethical Conduct, Practices, and Performance

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

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

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

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

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

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

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

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

Standard 1.9 The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.

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

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

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

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

2. Ethical Conduct toward Professional Colleagues

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

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

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

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

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

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

Standard 2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC or provides information for a disciplinary investigation or proceeding under this chapter.

3. Ethical Conduct toward Students

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

Standard 3.2 The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

Standard 3.3 The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

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

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

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

Standard 3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

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

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

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly or the educator attempted to conceal the communication;
- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

Discrimination, Harassment, and Retaliation

Policies DH, DIA

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

Employees who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal, supervisor, or district official is the subject of a complaint, the employee should report the complaint directly to the superintendent. A complaint against the superintendent may be made directly to the board.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is reprinted below:

<http://www.tasb.org/policy/pol/private/070908/>

DIA (Local)

Harassment of Students

Policies DF, DH, FFG, FFH

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, page 49 and *Bullying*, page 71 for additional information.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below:

<http://www.tasb.org/policy/pol/private/070908/>

DF (Legal)

FFH (Local)

Reporting Suspected Child Abuse

Policies DF, DG, DH, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Abuse is defined by SBEC and includes the following acts or omissions:

- Mental or emotional injury to a student or minor that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Causing or permitting a student or minor to be in a situation in which the student or minor sustains a mental or emotional injury that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Physical injury that results in substantial harm to a student or minor, or the genuine threat of substantial harm from physical injury to the student or minor, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline; or
- Sexual conduct harmful to a student's or minor's mental, emotional, or physical welfare.

Reports to Child Protective Services can be made to a local office or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person to make the report.

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

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

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency.

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Sexual Abuse and Maltreatment of Children

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed at www.midlothian-isd.net under board policy online (FFH local). As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or otherwise maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

Employees are required to follow the procedures described above in *Reporting Suspected Child Abuse*.

Technology Resources

Policy CQ

The district's technology resources, including its network access to the Internet, are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

- Imposes no tangible cost to the district.
- Does not unduly burden the district's computer or network resources
- Has no adverse effect on job performance or on a student's academic performance

Electronic mail transmissions and other use of the technology resources are not confidential and can be monitored at any time to ensure appropriate use. Employees are not to use electronic mail for non-school purposes during the instructional day. Employees shall not respond to chain emails.

Employees who are authorized to use the system are required to abide by the provisions of the acceptable use policy and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact the Technology Department.

Personal Use of Electronic Media

Policy DH

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for Web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic media for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.

- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
 - Confidentiality of student records. [See Policy FL]
 - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See Policy DH (EXHIBIT)]
 - Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
 - Copyright law [See Policy CY]
 - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

See *Use of Electronic Media with Students*, below, for regulations on employee communication with students through electronic media.

Use of Electronic Media with Students

Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the district through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization.

The following definitions apply for the use of electronic media with students:

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). *Electronic media* also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district

regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.

- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who uses electronic media to communicate with students shall observe the following:

- The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
 - Copyright law [Policy CY]
- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DF]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

Criminal History Background Checks

Policy DBAA

Employees may be subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on certain employees and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the district and SBEC with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

Employee Arrests and Convictions

Policy DH

An employee must notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

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

Moral turpitude includes the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance
- Felonies involving driving while intoxicated (DWI)
- Acts constituting abuse or neglect under the Texas Family Code

Alcohol and Drug-Abuse Prevention

Policies DH, DI

Midlothian ISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of

alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug use follows:

<http://www.tasb.org/policy/pol/private/070908/>

DH (Local)

DI (Exhibit)

Tobacco Use

Policies DH, FNCD GKA

State law prohibits smoking or using tobacco products on all district-owned property and at school-related or school-sanctioned activities, on or off campus. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

Fraud and Financial Impropriety

Policy CAA

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

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

Conflict of Interest

Policy DBD

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

- A personal financial interest
- A business interest
- Any other obligation or relationship
- Non-school employment

Gifts and Favors

Policy DBD

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, electronic textbooks, instructional materials or technological equipment may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials such as maps or worksheets that convey information to students or contribute to the learning process.

Copyrighted Materials

Policy EFE

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for instructional purposes only. Duplication are to be used in the classroom for educational purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

Associations and Political Activities

Policy DGA

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.

Use of district resources including work time for political activities is prohibited.

Charitable Contributions

Policy DG

The Board or any employee may not directly or indirectly require or coerce an employee to make a contribution to a charitable organization or in response to a fundraiser. Employees cannot be required to attend a meeting called for the purpose of soliciting charitable contributions. In addition, the Board or any employee may not directly or indirectly require or coerce an employee to refrain from making a contribution to a charitable organization or in response to a fundraiser or attending a meeting called for the purpose of soliciting charitable contributions.

Safety

Policy CK series

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

Employees with questions or concerns relating to safety programs and issues can contact the Superintendent or designee.

Possession of Firearms and Weapons

Policies FNCG, GKA

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

Visitors in the Workplace

Policy GKC

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

Asbestos Management Plan

Policy CKA

The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each school. A copy of the district's management plan is kept in the maintenance office and is available for inspection during normal business hours.

Pest Control Treatment

Policies CLB, DI

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the district's integrated pest management program.

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in an area of common access to employees. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written or electronic means. Pest control information sheets are available from campus principals or facility managers upon request.

Storage and Use of Pesticides in the Midlothian ISD

No person shall store or apply any pesticide, either commercial or over the counter (Raid, Hot Shot), without an appropriate commercial or noncommercial pesticide applicators license. All pesticide storage and application will be conducted in accordance with the requirements of the:

Federal Insecticide, Fungicide and Rodenticide Act
(7 United States Code 136 et seq.)
Environmental Protection Agency regulations in 40 CFR
Occupational Safety and Health Administration Regulations
Texas Structural Pest Control Act (Article 135B-6 of the Texas Revised Civil Statutes)
with associated regulations (Title 22, Texas Administrative Code, section 591-599)
Midlothian ISD Policies and Procedures and Local Regulations

If a person violates an Act, Rule or Order adopted by the Sturctural Pest Control Board, the Board may assess an administrative penalty against the person. The penalty may be in an amount not to exceed \$5,000 a day for each violation. Each day a violation continues or occurs may be considered a separate violation for purposes of penalty assessment.

Vehicle Rental Procedures

Cars/Vans

No 12 or 15 passenger vans will be approved for rental.

MISD has an account set up with Hertz, please use this company for your car rental needs if possible. When using Hertz the vehicle rental will automatically be charged to the District credit card. The school organization will not need to make a payment at the time of rental.

Please follow the procedures below:

1. Sponsor fills out a Request for Rental form and has it approved by the campus administrator.
2. Campus Secretary will make reservations for all rentals once request for rental has been approved using the procedures below:
 - A. Contact the business office to get the MISD code to be used when making reservations through Hertz.
 - B. Contact Hertz at 1-800-654-3131 to obtain the rental reservation.
 - C. Always decline insurance – rentals are covered under the insurance carried by MISD.
 - D. Obtain rental confirmation number.
 - E. Give confirmation number to sponsor – this number should be presented when the vehicle is picked up at the rental location.

This procedure should be followed for both in state and out of state travel. However, if the rental is for in state travel, please call the Waxahachie location at 972-923-2850 to confirm rental details.

3. Sponsors responsibility :
 - A. Pick up rental vehicle and present confirmation number at that time.
 - B. Return vehicle clean and in good condition.
 - C. Obtain the rental voucher upon return of vehicle.
 - D. Turn in rental voucher to the campus secretary as soon as you return to campus.

4. The campus secretary will submit a check request with rental vouchers attached to the Business office. This allows the Business Office to make payment to the district credit card and charge the appropriate organization for the rental.

Charter Bus Rental

Charter Buses may be secured for travel outside the metroplex. When traveling within the metroplex, please secure a school bus through the MISD transportation department.

You must have approval from the Assistant Superintendent of Finance and Operations before making your reservation with a charter company. Please submit a Charter Bus Request form to the business office. Allow 5 business days for processing. The Charter Bus Request form will be returned to you to show if your request was approved or denied. When you have received your request form back, you may then make your reservation with one of the approved charter companies listed below.

When an outside entity (such as a booster club) is paying for transportation through a donation, then prior approval by the school board is required.

Approved Charter Rental Companies – Prior approval by the superintendent is required to use a company not listed below.

- Alliance Bus Charters
1819 Lacy Dr
Fort Worth, TX 76177
Phone # 817-439-5951

- Central West of Texas, Inc.
3426 South Gilbert Road
Grand Prairie, TX 75050
Phone # 847-439-0233

- Coach America Dallas

710 E. Davis St.
Grand Prairie, TX 75050
Phone # 214-988-3000
800-256-4723

- Connect Tours
11525 Riverview Way
Houston, TX 77077
Phone # 800-780-3566
- Eagle Tours, Inc.
1634 E Irving Blvd
Irving, TX 75060
Phone # 972-721-0545
800-829-8687
- Executive Coach
504 N Walton Walker Blvd
Eules, TX 76040
Phone # 214-492-1300
- Gotta Go Express Trailways, Inc.
5012 Mosson Road
Fort Worth, TX 76119
Phone# 817-572-4114
- Lonestar Coaches, Inc.
2425 Houston St
Grand Prairie, TX 75050
Phone #972-623-1100
817-717-1811
- LL & L Enterprises, LLC
1613 S-H 310 @ Langdon Rd
Hutchins, TX 75141
Phone #972-225-5100
- Roadrunner Charters, Inc.
3912 S Main St
Eules, TX 76040
Phone #817-355-9474
- Wynne Motorcoaches
2674 Myrtle Springs Ave
Dallas, TX 75220
Phone # 972-525-5466

General Procedures

Bad Weather Closing

The district may close schools because of bad weather or emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on the district's Web site and notify the following radio and television stations:

Television

Station	Channel
KDFW	4
KXAS	5
WFAA	8
KTVT	11
KTXA	21

Radio

Frequency	Station
1390 AM	KBEC
820 AM	WBAP
1080 AM	KRLD

WEB SITE

www.midlothian-isd.net

Twitter: www.twitter.com/midlothianisd
Facebook: Search for "Midlothian ISD"

Emergencies

Policies CKC, CKD

All employees should be familiar with the safety procedures for responding to a medical emergency and the evacuation diagrams posted in their work areas. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all district buildings. Employees should know the location of these devices and procedures for their use.

Purchasing Procedures

Policy CH

All requests for purchases must be submitted to the Finance department on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact your building secretary or the Finance department for additional information on purchasing procedures.

Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the the Human Resource office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from the building secretary. All SBEC certified employees must also inform SBEC via the website of any demographic changes: www.sbec.state.tx.us.

Personnel Records

Policy GBA

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

- Address
- Phone number
- Social Security number
- Emergency contact information
- Information that reveals whether they have family members

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

Building Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. The Assistant Superintendent for Finance and Operations is responsible for scheduling the use of facilities after school hours. Contact office of the Assistant Superintendent for Finance and Operations (972-775-8296) to request to use school facilities and to obtain information on the fees charged.

Termination of Employment

Resignations

Policy DFE

Contract Employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the Superintendent. Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in *Reports to the State Board for Educator Certification* on page 66.

Noncontract Employees. Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to their supervisor or principal and to the Human Resource Department at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

Dismissal or Nonrenewal of Contract Employees

Policies DFAA, DFAB, DFBA, DFBB, DFD, DFF

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The time lines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or whose certification is revoked for misconduct. Information on the time lines and procedures can be found in the DF series policies that are provided to employees or are available on line.

Dismissal of Noncontract Employees

Policy DCD

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 42.)

Exit Interviews and Procedures

Policies DC and CY

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. All district keys, books, property including intellectual property, and equipment must be returned upon separation from employment.

Reports to State Board for Educator Certification

Policy DF

The dismissal or resignation of a certified employee will be reported to SBEC when the Superintendent first learns about an alleged incident of conduct that involves the following:

- A reported criminal history
- Any form of sexual or physical abuse of a minor or any other illegal conduct with a student or a minor
- Soliciting or engaging in sexual conduct or a romantic relationship with a student or 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
- Violating assessment instrument security procedures

Reports Concerning Court-Ordered Withholding

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

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

Student Issues

Equal Educational Opportunities

Policies FB, FFH

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

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to Steve Keasler, the district Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to Lisa Knight, the district ADA/Section 504 coordinator. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

Student Records

Policy FL

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student (if 18 or older or emancipated by a court)
- School officials with legitimate educational interests

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal for assistance.

Parent and Student Complaints

Policy FNG

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the board has adopted orderly processes for handling complaints on different issues. Any campus office or the superintendent's office can provide parents and students with information on filing a complaint.

Parents are encouraged to discuss problems or complaints with the teacher or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

Administering Medication to Students

Policy FFAC

Only designated employees can administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. A student who must take medication during the school day must bring a written request from his or her parent and the medicine in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

Dietary Supplements

Policies DH, FFAC

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

Psychotropic Drugs

Policy FFAC

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

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

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

Student Conduct and Discipline

Policies in the FN series and FO series

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

Student Attendance

Policy FEB

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, the student upon returning to school, must bring a note signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

Bullying

Policy FFI

All employees are required to report student complaints of bullying to campus principal or designee. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

<http://www.tasb.org/policy/pol/private/070908/>

FFI (Local)

Midlothian ISD

070908

STUDENT WELFARE FFI

FREEDOM FROM BULLYING (LOCAL)

DATE ISSUED: 6/19/2008

UPDATE 83

FFI(LOCAL)-A

Note: This policy addresses bullying of District students. For provisions regarding discrimination, harassment, and retaliation involving District students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy.

Bullying occurs when a student or group of students engages in written or verbal expression or physical conduct that:

- 1. Will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or*
- 2. Is sufficiently severe, persistent, or pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.*

Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, and ostracism.

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report

may impair the District's ability to investigate and address the prohibited conduct.

Any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee. A report may be made orally or in writing.

Any District employee who receives notice that a student has or may have experienced bullying shall immediately notify the campus principal or designee.

If a report is made orally, the campus principal or designee shall reduce the report to written form.

The campus principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, and if so proceed under that policy instead.

*BULLYING
PROHIBITED
DEFINITION
EXAMPLES
TIMELY REPORTING
REPORTING
PROCEDURES
NOTICE OF REPORT
INVESTIGATION OF
REPORT*

Hazing

Policy FNCC

Students must have prior approval from the principal or designee for any type of "initiation rites" of a school club or organization. While most initiation rites are permissible, engaging in or permitting "hazing" is a criminal offense. 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 administrator.

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