

# Texas School for the Deaf



## Employee Handbook

March 2006

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## i. Introduction and Employee Handbook Receipt

The purpose of this handbook is to provide information that will assist you, a valued TSD employee, in understanding how the Texas School for the Deaf operates and in answering questions you may have.

The handbook may be accessed on "ELF", one of TSD's computer network servers, in a folder titled "TSD Employee Handbook".

The handbook has many references to TSD Governing Board Policies and TSD Administrative Procedures but does not explain or refer to all policies and procedures. The handbook does include instructions on how to access the whole array of TSD policies and procedures on "ELF".

Please remember that TSD policies may be changed by the Governing Board at any time and TSD procedures may be changed by the Superintendent at any time. Any changes in policies and procedures shall supersede any handbook provisions that are not compatible with the changes.

For more information about policies and procedures, you may access the policies and procedures on ELF, confer with your supervisor, or call the Human Resources office.

Suggestions for additions and improvements to this handbook are welcome and may be sent to Jeff Hall, Human Resources Director.



## TSD EMPLOYEE HANDBOOK RECEIPT

- I. Employee Responsibility for Reading and Following Employee Handbook.** Each TSD employee is responsible for reading, understanding and following the policies, procedures, and rules contained in the Employee Handbook even when they are changed by the TSD Governing Board or the TSD Administration after the Employee Handbook is published. Not all policies and procedures are addressed in the Employee Handbook; the policies and procedure that are addressed are only summarized and not presented in full.

The Employee Handbook contains information related to hiring and terminating employees and other issues related to employment.

- The Employee Handbook does not change any aspect of the employment relationship between TSD and professional employees (teachers, administrators, and other educational professionals) who are hired under an employment contract.
- The Employee Handbook does not change any aspect of the employment relationship between TSD and any employee who is hired as an at-will employee. (The Employee Handbook includes information explaining what it means to be an “at-will” employee.)

### II. Employee Handbook Access:

Each Staff Member may choose to have a print copy (provided by Human Resources) of the TSD Employee Handbook or to access the Employee Handbook by computer on the ELF server. Please check your choice below.

\_\_\_\_\_ I would like a print copy of the Employee Handbook.

I understand that I will receive notice when changes are made to the Employee Handbook and that these changes will be posted on ELF. I agree to print the changes and replace the outdated parts of the Employee Handbook with the changes.

I understand that, when I receive my print copy of the Employee Handbook that I will receive from Human Resources, I must sign a receipt and return the receipt to Human Resources.

\_\_\_\_\_ I will access the Employee Handbook by computer on the ELF server.

I understand that I will receive notice when changes are made to the Employee Handbook and that these changes will be posted on ELF and incorporated into the Employee Handbook. I agree to read the changes.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Printed Name

\_\_\_\_\_  
Department



# I. General Information About Texas School for the Deaf

## A. History

The Texas School for the Deaf is the oldest continuously operating public school in Texas. Established by the Sixth Legislature in 1856, the School--then called the Texas Deaf and Dumb Asylum--was appropriated \$10,000 for the biennium. The current 67 1/2-acre site on South Congress Avenue is the site of the original campus.

Significant historical events include the establishment of a state printing office at the School in 1876, the first ten-year course of study for graduation in 1887 and the construction of a new vocational and education building in 1900. The School's enrollment and building projects continued to grow from 1900 to 1945. During this time, science and library facilities were built and the number of teachers with degrees increased from 14 to 44.

In 1949, the School was placed under the newly created Board for Texas State Hospitals and Special Schools, and the official name of the School was changed from the Texas Deaf and Dumb Asylum to the Texas School for the Deaf. In 1951, after almost a century of effort to identify TSD as an educational institution, the Legislature directed that the School would be governed by the State Board of Education.

In 1965, the state schools for the blind and the deaf were combined under a Director of Special Schools for the State of Texas. Also in 1965, the Texas Deaf, Blind and Orphan School for Colored Youths on Airport Boulevard integrated its students with the special schools. This facility then became TSD's East Campus, which was occupied by TSD students through the 2001 school year and was then sold to the City of Austin.

Between 1989 and 2004, TSD has undergone a major renovation including the construction of many new buildings and the renovation of other buildings as well as the renovation of the stadium and the wall fronting on South Congress Avenue.

We now operate one campus on the present site in Austin.



## B. TSD Mission, Vision and Beliefs

**Mission:** Our mission at the Texas School for the Deaf is to ensure that deaf students achieve personal excellence by providing an exemplary education and student life program that fosters learning in a visually accessible, safe and positive environment. We also strive to improve the lives of deaf students and families in Texas by providing a complete array of outreach services.

**Vision:** The Texas School for the Deaf is recognized as a local, state and national leader in the field of Deaf Education.

**Beliefs:** We believe that:

- Education is a responsibility shared by the students, home, school, and community.
- All students achieve their maximum potential in a school that recognizes, values, and accommodates their unique abilities and interests.
- Treating people with dignity and respect is essential to a healthy and productive environment.
- The development of the whole person socially, physically, intellectually and emotionally is imperative to success.
- Involving people in decisions that impact their lives promotes ownership, commitment, action, a sense of value and pride.
- A full signing environment enhances the quality of life for the students, families and the TSD Community.
- Deaf students flourish when educated in a language-rich environment designed to meet their communication, language, and educational needs.
- A rigorous, standards-based curriculum and specialized programs are the foundations for success in literacy, career/work, and life skills.
- Competence in technology is critical for equal access to communication and information.
- Highly qualified staff motivate and empower students to reach their maximum potential.
- Exposure to and experience with Deaf Culture enrich the lives of students and their families.



## **C. Governing Board**

The TSD nine-member Governing Board oversees the governance and management of the School. The board is the School's policy-making body and has overall responsibility for the curriculum, budget, employment of the superintendent and other professional staff, and facilities.

Board members are appointed by the Governor and confirmed by the State Senate. Members serve terms of six years.

The Governing Board usually meets five times per year, with meetings occurring approximately every two months. The meetings take place on the TSD campus, usually in the Multipurpose room of the Ford Vocational Building. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted in all departments on campus. The written notice will show the date, time, place, and subjects of each meeting.

All meetings are open to the public although the board may hold closed sessions for matters such as discussing prospective gifts or donations, real property acquisition, certain personnel issues, student discipline, or to consult with attorneys regarding pending litigation.

The specific dates and times of all board meetings are available from the Superintendent's office.

## **D. TSD Policies and Procedures**

The TSD Governing Board approves policies for the operation of the School in all areas. The policies are organized by type. We have seven types, A through G, as follow:

- A: Basic Foundation
- B: Local Governance (Superintendent and Board)
- C: Business and Support
- D: Personnel (this section has many policies relating to employees)
- E: Student Instruction
- F: Students
- G: Community Relations



Each policy has an assigned policy code and name; for example, TSD Governing Board Policy DEC, Compensation and Benefits: Leaves and Absences. This policy is in the D section of the TSD policies because it relates to personnel (employees).

TSD policies may be accessed through all campus employee computers. If an employee does not have access to a computer in the employee’s work area, the Human Resources office has a computer for use by any employee. To access the policies:

<b>FROM A MAC</b>	<b>FROM A PC</b>
<ul style="list-style-type: none"> <li>• Select "Connect to Server..." from the Go menu in the Finder.</li> <li>• Type in "ELF" for the server address and click "Connect."</li> <li>• Click on "guest". Click on "connect".</li> <li>• Click on ELF items and click OK.</li> <li>• After you have done this, an icon will appear on the desktop that says "ELF items".</li> <li>• Double click on the ELF items icon.</li> </ul>	<ul style="list-style-type: none"> <li>• Click on the Start button and select "Run..."</li> <li>• Type in the following: \\elf\ELFItems</li> </ul>
<p><b>The rest is the same for both Macs and PC's:</b></p> <ul style="list-style-type: none"> <li>• In the window that opened, scroll down until you see TSD Governing Board Policies (the choices are in alphabetical order)</li> <li>• Double click TSD Governing Board Policies.</li> <li>• After you have done this, you will see electronic folders—Sec. A, B, C, D, E, F, G, Archived and a document that is the index for all policies. You may want to look at the index to see where the policy you want is located. If you know what policy you want (e.g.—DEC), double click on the Sec. D file, then locate DEC, then double click to open.</li> <li>• Contact Technology Services if you need additional assistance.</li> </ul>	

TSD also has many administrative procedures that are available to employees. Accessing the procedures is similar to accessing policies. After you have double-clicked on the ELF items icon, you need to scroll down until you see TSD Operating Procedures. Double click here. The procedures are organized in the same manner as policies. Please feel free to contact Technology Services if you need assistance accessing the procedures.

## **E. Administration and School Organization**

TSD is divided into five divisions: Central Administration, Business and Operations, Instructional, Student Support Services and Residential Services.

Central Administration is administered by the Superintendent, and includes Human Resources, Information Technology Services, the Educational Resource Center on



Deafness (ERCOD), Legal Services and Property/Facility Planning.

Residential Services is administered by the Director of Residential Services and four supervisors, supervising, respectively, the Special Needs and Guidance Programs, Elementary, Middle School and High School Programs, and the Student Life Program.

The Instructional division is administered by the Director of Instruction/Assistant Superintendent and includes the program areas of Early Childhood, Elementary, Special Needs, Middle, High School and Career Technology as well as Curriculum and Athletics.

The Student Support Services division includes Admissions and Records, Assessment, Psychologist, Counseling, Behavior Management, Social Workers, Student Health Services, Disciplinary Alternative Education Program, Occupational and Physical Therapy, Speech Therapy, Audiological Services and Interpreting Services.

The Business and Operations Division is managed by the Director of Business and Operations and includes Food Services, Transportation, Accounting and Payroll, Purchasing, Risk Management and Security, and Plant Maintenance.

## **F. School Programs and Outreach Services**

TSD is established as a state agency to provide direct educational services for Texas students, age zero through twenty-two, who are deaf or hard of hearing and who may have multiple disabilities. TSD is also directed to serve as a statewide educational resource center on deafness providing a variety of educational services to programs and professionals throughout the state working with and for persons who are deaf and hard of hearing.

Students are admitted to TSD following a referral by a local school district, or when the parent or adult student chooses TSD rather than the program offered locally. TSD's Admissions Office coordinates student admissions to TSD.

The Individuals with Disabilities Education Act (IDEA) is a federal law that contains important provisions related to students with disabilities and specific requirements related to the special education and related services to which the students are entitled. Because of the IDEA, each student at TSD has an annually developed "Individualized Education Program" or "IEP" that contains the educational goals and



objectives that the student will work on during the year. A special committee called the “Admission, Review and Dismissal” or “ARD” Committee develops the student’s IEP. The ARD Committee includes the student’s parent and staff members who work with the student.

## **1. Early Childhood Education**

The Early Childhood Program includes three programs and serves children from birth through age six. The Parent/Infant Program works in conjunction with Early Childhood Intervention (ECI), a state agency, to meet the needs of deaf children, ages birth to three, and their families through home visits for infants and on-site programming for toddlers as determined by the Infant Family Service Plan (IFSP) developed by the parent and professionals. The program provides family and child education, counseling, sign language classes and a variety of related and support services necessary to facilitate language development, hearing aid management, speech communication, motor development and cognitive development. At age three, students transition from ECI into special education services. Children ages three through five receive school-based services. Between the ages of five and six, the kindergarten program provides access to the state curriculum, Texas Essential Knowledge and Skills (TEKS). The needs of children being served by the Early Childhood Program have become increasingly more complex in recent years as we admit students with multiple disabilities that impact motor, feeding, communication, and cognitive development.

## **2. Elementary, Middle and High School Programs**

The Elementary, Middle, and High Schools provide academic classes in subject areas that are based on the “Texas Essential Knowledge and Skills” or “TEKS”. The TEKS is a set of curricular objectives for grades and courses developed by the Texas Education Agency for use in public schools.

In addition, each department offers modified academics for students who cannot access the TEKS at the same pace and depth or through traditional materials. Middle School and High School students receive instruction in pre-vocational, career and technology training, and work training to complement their academic education. If determined by the student’s ARD Committee, a student may be mainstreamed into a local school district near TSD for a portion of the student’s school day with the appropriate support services, such as interpreting. High School students may take



career and technology courses in business education, home education, trade and industrial education, career orientation, and technology applications.

### **3. Special Needs Program**

Students in the Special Needs Program have multiple disabilities including deafness, mental retardation, autism, emotional disturbance, Attention Deficit Hyperactivity Disorder (ADHD), orthopedic impairments and other health impairments. The Special Needs Department curriculum emphasizes life skills, functional academics, work training and independent living training. The program is structured to provide small group instruction utilizing a "hands-on" approach to learning, assistive technology, and augmentative communication strategies. Off-campus work training begins at a young age and continues throughout the student's education as it prepares the student for independent, supported or workshop employment based on the student's Individual Transition Plan (ITP). An independent living program within residential living is available for students who are ready to prepare for transition into community living.

### **4. Transitional Program**

The "Returning Students" post-high school program provides a transition from secondary school to the workplace or college environment. The program is designed for students ages 18 through 22 who have earned high school diplomas but are not fully prepared to move from the school environment to workplace and independent living. The students participate in post-secondary academic, vocational-technical, and independent living programs. Work training placements, which are a critical component of this program, are provided to students primarily in off-campus work locations.

### **5. Residential Program**

TSD Residential Program is a "home away from home" for many students. The Residential Program serves students ages 5 through 22 in its specialized residential programs. In the residential area, staff work with students on Social, Physical, Intellectual, Cultural, and Emotional (SPICE) goals. After school programs include opportunities for participation in athletics, drama, dance, leadership organizations, signing choir, and special interest clubs. Academic tutoring is offered by residential staff or by instructional staff as needed. All students participate in the Weekends Home program and return to their community homes on weekends.



## **6. Student Related and Support Services**

To meet the needs of deaf children, special services beyond educational and residential programs are often needed. These services include counseling, psychological services, health services, assessment, speech and language therapy, audiological services, physical therapy and occupational therapy. These special services and consultation may be provided to students, professionals working with the student and the student's parents.



**G. TSD Map**

**Texas School for the Deaf**  
1102 South Congress Avenue  
Austin, Texas 78704  
512/462-5353 - Main Number

1102 South Congress Avenue  
Austin, Texas 78704  
512/462-5353 - Main Number



- |   |   |   |   |
|---|---|---|---|
| <p><b>Administrative &amp; Support Services</b></p> <ul style="list-style-type: none"> <li>1 Pease Administration Building</li> <li>2 Warehouse</li> <li>3 Admissions, Assessments &amp; Records</li> <li>4 Maintenance Shop</li> <li>5 Employee Entrance</li> <li>6 Maintenance, Security &amp; Transportation</li> <li>7 Central Plant</li> <li>8 Heritage Center &amp; ERCOD</li> <li>9 Business Office</li> <li>10 R. L. Davis Auditorium</li> <li>11 Deal Smith Center</li> <li>12 Residence</li> <li>13 Human Resources Office</li> <li>14 Main Entrance &amp; Information Booth</li> <li>15 Student Health Services</li> </ul> | <p><b>Educational Facilities</b></p> <ul style="list-style-type: none"> <li>16 Ford Career Technology Education (CTE)</li> <li>17 Kieberg Building</li> <li>18 High School</li> <li>19 Administrative Commons</li> <li>20 Middle School</li> <li>21 Cafeteria</li> <li>22 Elementary &amp; Early Childhood Education</li> <li>23 Special Needs Program</li> <li>24 Residence</li> </ul> | <p><b>Residential Facilities</b></p> <ul style="list-style-type: none"> <li>25 Girl's Elementary Residence</li> <li>26 Boy's Elementary Residence</li> <li>27 Special Needs Program Residence</li> <li>28 Girl's Middle School Residence</li> <li>29 Boy's Middle School Residence</li> <li>30 Lewis Hall High School Residence</li> <li>31 Koen Hall High School Residence</li> <li>32 Residence</li> <li>33 Residence</li> <li>34 Apartment A &amp; B</li> <li>35 Apartment A &amp; B</li> <li>36 Junior Ranger Center</li> <li>37 Cottage</li> <li>38 Cottage</li> <li>39 Cottage</li> <li>40 Cottage</li> <li>41 Cottage</li> <li>42 Cottage</li> </ul> | <p><b>Physical Education, Sports &amp; Recreation</b></p> <ul style="list-style-type: none"> <li>43 Franna Camenisch Tennis Courts</li> <li>44 Rudolf Gambin Field</li> <li>45 Concession &amp; Restroom</li> <li>46 Seeger Gym</li> <li>47 Swim Center</li> <li>48 Gymnasium</li> <li>49 Baseball Field</li> <li>50 Cinger Gym</li> <li>51 Amphitheater</li> </ul> |
|---|---|---|---|





## **H. Employee Involvement**

Staff, students, parents, and community members are represented on the School's decision-making committees and have many opportunities to provide input into the identification of TSD needs and goals. The District Advisory Committee and the departmental site-based teams are involved in the development and evaluation of progress on the five-year plan and the annual goals. Collaborative decision-making occurs through executive leadership team, school leadership council, and instructional leadership council.

Representatives on the committees above are responsible for disseminating information to their co-workers and employees in their division.

Employees who wish to provide input may do so through their departmental representative and/or their supervisor.

## **I. Activities Schedules**

All TSD student and staff activities are scheduled in advance on the school's Master Calendar. The system of developing TSD's Master Calendar provides school-wide coordination of activities and allows employees to reserve specific rooms and facilities in advance, such as the gymnasium, for special activities such as students club meetings and staff meetings. The procedure for reserving facilities includes completing forms to request a particular school facility for a specified date and time as well as obtaining administrative approval for the use of the facility.

Email [MasterCalendarCoordinator@tsd.state.tx.us](mailto:MasterCalendarCoordinator@tsd.state.tx.us) for more information on how to access the Master Calendar or if you have questions.

## **J. School Calendar**

The School Calendar is approved by the Governing Board and is disseminated schoolwide and posted in each department. The School Calendar includes information about when school opens in August and which days are holidays for staff or students. The School Calendar is available at [www.tsd.state.tx.us](http://www.tsd.state.tx.us).



## **K. Helpful Contacts**

Helpful telephone numbers at TSD include:

462-5353 .....	Main number
462-5329 .....	Educational Resource Center on Deafness (ERCOD)
462-5321 .....	Human Resource office
462-5430 .....	Sign Language office
462-5351 .....	Business and Operations office
462-5362 .....	Payroll
462-5368 .....	Cashier
462-5398 .....	Food Services
462-5371 .....	Maintenance
462-5201 .....	Director of Student Support Services
462-5691 .....	Student Health Services
462-5412 .....	Admissions
462-5431 .....	Interpreting Services
462-5663 .....	Director of Instruction/Assistant Superintendent
462-5231 .....	Elementary Principal
462-5251 .....	Special Needs Principal
462-5491 .....	Middle School Principal
462-5461 .....	High School Principal
462-5471 .....	Career Technology Education Principal
462-5601 .....	Director of Residential Services
462-5580 .....	TTY Deaf Smith Center
462-5555 .....	Security office

## **L. School Directory/Phone List**

The TSD School Directory is available for viewing and downloading on the school's network system, ELF. After accessing ELF, you will see a folder labeled "TSD Phone Directory". Open that folder and you will see two documents: "TSD Department Directory" and "TSD Staff Directory". You can print or download these documents to your computer. Please remember that these documents are updated on a regular basis.



**M. TSD Website** - [www.tsd.state.tx.us](http://www.tsd.state.tx.us)



Visit the TSD website and you will get an overview of the School including academics, student-designed and student-developed web pages, admissions information, the School’s calendar, sports schedules and scores, outreach activities, Student Life (residential and after school programming information) and much more. You can see a Visual Studio of the School, job opportunities, the Professional Lending Library and the Captioned Media Program, Governing Board member and meeting information and many other pieces of information. Anything you want to know about TSD is on our website!

**N. Visitors at TSD**

All visitors are expected to enter the School through the main entrance on Congress Avenue and sign in with the Security officer on duty. Authorized visitors will receive a visitor’s badge and directions to their destination. Employees who observe an unauthorized individual on the campus should immediately direct the individual to the Security office or contact the Security officer on duty.



## II. Employment

### A. Equal Employment Opportunity

#### 1. Equal Employment Opportunity

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

No person shall be excluded from consideration for recruitment, selection, appointment, training, promotion, retention, or any other personnel action, or be denied any benefits or participation in any education programs or activities which the school operates on the grounds of race, religion, color, national origin, sex, disability, military status or age, except where age, sex or physical requirements constitute a bona fide occupational qualification necessary to proper and efficient administration.

Sexual harassment is a form of sex discrimination.

The school's compliance coordinator for Title IX and Section 504 of the Rehabilitation Act of 1973 is the Human Resources Director located in the Human Resources office, 1102 South Congress Avenue, Austin, Texas 78704, 512-462-5321, V/TDD.

#### 2. Americans with Disabilities Act

The school shall not discriminate against a qualified individual with a disability because of the individual's disability in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions and privileges of employment. An employee who believes that he/she has been unfairly discriminated against on the basis of a disability, or who is in need of some form of reasonable accommodation, should contact the Human Resources office.

The school's compliance coordinator for the ADA is the Human Resources Director located in the Human Resources office, 1102 South Congress Avenue, Austin, Texas 78704, 512-462-5321, V/TDD.



### 3. Harassment

Harassment of a coworker or student motivated by race, color, religion, national origin, disability, or age is a form of discrimination and is prohibited by law. A substantiated charge of harassment against a student or employee will result in disciplinary action. The term harassment includes repeated unwelcome and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual's race, color, religion, national origin, disability, or age that creates an intimidating, hostile, or offensive educational or work environment.

An employee who believes that the employee has been harassed is encouraged to promptly make a report to the employee's immediate supervisor. If the employee's immediate supervisor is the subject of a complaint, the employee may report the complaint to the Human Resources Director, the employee's Department Head or Division Director or directly to the Superintendent. An employee who suspects or knows that a student is being harassed by a school employee or by another student shall inform the employee's immediate supervisor.

Any allegation of harassment of students or employees shall be investigated and addressed. An employee may appeal the decision of the supervisor regarding the investigation into the allegations in accordance with the employee complaint and grievance policy and procedures (See TSD policy DGBA, Personnel-Management Relations: Employee Complaints). To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation. TSD will not retaliate against an employee who in good faith reports perceived harassment.

### 4. Sexual Harassment

**Employee-To-Employee.** Sexual harassment of a coworker is a form of discrimination and is prohibited by law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct under the following conditions:

- Submission to such conduct is explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for employment decisions.



- The conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or otherwise offensive work environment.

An employee who believes that the employee has been sexually harassed by another employee is encouraged to report the sexual harassment to the employee's supervisor; if the supervisor is the subject of the complaint, the employee may complain to the Human Resources Director, the employee's Department Head or Division Director or directly to the Superintendent. TSD will promptly investigate all allegations of sexual harassment and will take prompt, appropriate disciplinary action against any employee found to have engaged in conduct constituting sexual harassment of any other employee. (See TSD policy DGBA, Personnel-Management Relations: Employee Complaints).

**Employee-To-Student.** Sexual harassment of students by employees is a form of discrimination and is prohibited by law. Sexual harassment of students includes any welcome or unwelcome sexual advances, requests for sexual favors, and other oral, written, physical, or visual conduct of a sexual nature. Romantic relationships between TSD employees and students are strictly prohibited. Other prohibited conduct includes:

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

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

Any employee who suspects that a student is being sexually harassed or abused by another employee must report the employee's concerns to the immediate supervisor, Human Resources Director, Department Head, Division Director, or Superintendent.



All allegations of sexual harassment or sexual abuse of a student will be reported to the student’s parents and promptly investigated. Conduct that may be characterized as known or suspected child abuse also will be reported to the appropriate authorities, as required by law. Any employee with questions or concerns relating to the alleged sexual harassment of a student should contact the employee’s supervisor, Human Resources Director, Department Head, Division Director or Superintendent.

## **B. Employment**

### **1. Job Vacancies**

Announcements of job vacancies are posted at the Human Resources office and on the TSD website. Job vacancies may be posted either for consideration and application only by current employees (“in-house” posting) or for consideration and application by both current employees and members of the general public.

### **2. Applying for Different Positions After Initial Hire**

At any time after a person is hired as a TSD employee, the employee may apply for any other TSD job vacancy.

An employee applying for another position, whether the position is posted “in-house” only or for consideration by current employees and members of the general public, must complete a new State of Texas Application (i.e.—in addition to the State of Texas Application submitted for initial employment) and submit any credentials that are required.

### **3. Selection of Seasonal Athletic Coaches**

Seasonal postings for athletic Head Coaches and Assistant Coaches are posted electronically through TSD email by the Athletic Director. Paper copies of the job postings are posted in the Human Resources office and educational departments. An employee interested in applying for these positions must complete the “Application for Head Coach or Assistant Coach” and submit it to the Athletic Director. If no current employee is selected for a particular coaching position, with Superintendent approval, the Athletic Director may consider applicants who are not current TSD employees. Any applicant for a coaching position who is not a current TSD employee must submit a State of Texas application to the Human Resource department and, if selected, must satisfactorily complete a criminal history check and attend New Employee Orientation.



#### **4. Employment of Aliens**

The Immigration Reform and Control Act prohibits TSD from knowingly hiring an alien not authorized to work in the United States. To ensure that a prospective employee is a citizen of, or has proper authorization to work in the United States, TSD must verify the identity and employment eligibility of all new employees and complete form I-9 within three days of initial hire. If an individual is unable to present the required documentation within the three-day period, the individual must present a receipt(s) reflecting application for acceptable documentation within three business days of hire and present proper documentation within 21 business days of hire.

#### **5. Medical Examinations for School Bus Drivers**

Employees must satisfactorily complete a medical examination for school bus drivers before driving TSD school buses. Additional information and the proper form may be obtained from the Transportation Department.

#### **6. Transfers from State of Texas Agencies**

An employee with another state of Texas agency may apply for employment with TSD by completing the state of Texas employment application and submitting it to the TSD Human Resources Office. Employees transferring from one state agency to TSD may do so without a break in service as long as the employee separates from one agency at the end of the workday and begins employment with TSD at the opening of business the following work day. TSD Human Resources will verify all prior state employment.

#### **7. Dual State Employment**

A TSD employee may not be employed by another State of Texas agency unless prior approval has been granted by the Superintendent and the Executive Director of the second agency. Failure to obtain both approvals may constitute a violation of state law. An employee who is legally employed in two positions with the state is subject to the following provisions:

- the employee must have completely separate leave records for each employment;
- the employee accrues state service credit for all purposes as if the employee had only one position;
- upon termination from one employment, the leave balances may not be



transferred to the remaining employment;

- the state contribution toward the employee's benefit replacement pay is subject to the overall individual limit;
- the total state contribution toward the employee's group insurance is limited to the amount specified for a full time active employee;
- the employee must inform the employing state agencies or institutions of higher education before accepting an additional employment with another agency or institution; and
- overtime compensation will accrue to each employment independent of the other except in those instances in which the employee is subject to the overtime provisions of FLSA.

If a TSD employee is employed by another state agency, TSD and the other state agency will coordinate in order to determine which agency will have the responsibility of ensuring that the employee is properly compensated.

## **8. Outside Employment**

A TSD employee may engage in employment in addition to employment with TSD if:

- The employment does not interfere in any way with the complete and efficient performance of the employee's obligations related to School employment; and
- The acceptance of additional or supplementary employment does not result in a conflict of interest for the employee in that it:
  - conflicts with the employee's ability to conduct the duties of the employee's position in the public interest; or
  - might reasonably require an employee to disclose confidential information; or
  - would reasonably tend to impair the employee's independent judgment.

## **9. Contract Employees**

**Contracting with Professional Educators.** By law, TSD must hire all full-time professional employees in positions requiring the employee to hold a certificate from the State Board of Educator Certification (SBEC) under an employment contract.

The TSD Governing Board may choose, but is not required, to hire any other professional educator whose position does not require certification by SBEC under an employment contract.



TSD has three types of employment contracts:

**Probationary Contracts.** Full-time professional employees new to TSD and employed in positions requiring SBEC certification must receive probationary contracts during their first year of employment. Former employees who are hired after at least a two-year lapse in TSD employment also may be employed by probationary contract. The probationary period for those who have been employed in public schools for at least five of the eight years preceding employment with the district may not exceed one school year. For those with less experience, the probationary period will be three school years, 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 certifications will be employed by one-year 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 and employment policies.

**Noncertified Professional and Administrative Employees.** Employees in professional educational positions that do not require SBEC certification or who are employed for less than full-time are employed by a one-year contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of the Texas Education Code.

#### **10. Term of Employment for Contract Employee**

For employees under contract, the "term of employment" refers to the number of days that an employee is scheduled to work under the contract. The contract term for most contract staff is for 187 days per school year; this number of days includes the instructional, in-service, and preparation days on the school calendar. An employee under contract for 187 days usually starts during "Inservice Week", the week before the students arrive in August, and usually finishes the contract one or two days after student graduation in May. A few non-administrative contract staff are under contract for more than 187 days per school year. Educational contract administrators usually work 210 or 220 days per school year, although this number may vary.



Employees under contract during the regular school year may have the opportunity to work varying numbers of days during TSD’s summer programs. Any days worked during the summer program are not worked under a contract. For this employment, the educator is employed “at-will”. Summer employment is not guaranteed for any employee.

**11. Notification of Parents Regarding Certification Status of Contract Employees**

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive days to a teacher who is “uncertified” or “inappropriately certified”. Uncertified or inappropriately certified teachers include individuals serving with an emergency permit (including individuals waiting to take the EXCET exam) or individuals who do not hold any certificate or permit. No later than the 30th instructional day after the date of assignment to a classroom of an uncertified or inappropriately certified teacher, the Superintendent or Assistant Superintendent will ensure that each parent of a student in the teacher’s classroom is sent a written notice informing the parent that the teacher is uncertified or inappropriately certified. Information relating to teacher certification will be made available to the public upon request.

Employees who have questions about their certification status should call the Human Resources office.

**12. Workload and Work Schedules for Contract Employees**

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



Classroom teachers will have planning periods for instructional preparation and conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The School may require teachers to supervise students one day a week when no other personnel are available.

### **13. Classified Employees**

The State Position Classification Plan (Plan) is part of Texas law and includes a list of all state “classified” employment positions and the rates of pay for each position. All TSD positions except for the Superintendent and professional instructional positions, which are hired under an employment contract, are “classified” positions. An employee holding one of these positions is called a “classified employee”. The Plan includes two schedules for classifying TSD positions: Salary Schedule A, for administrative support, maintenance, technical and paraprofessional jobs; and Salary Schedule B, for professional and managerial jobs. Each position is classified into one of the salary groups for the Schedule. Schedule A has 18 salary groups; Schedule B has 22 salary groups. Each salary group includes a range of pay rates/salaries for the group. Although the State does not divide each salary group into sub- salary groups or “steps”, TSD may use steps or divide the salary group on a percentage basis.

For each of TSD’s employment positions, the law requires that TSD select the classification in the Position Classification Plan that is appropriate for a position, given the type of functions to be performed by the employee holding the position. Based on the position selected, TSD must then pay the employee an amount within the range of pay rates allowed for the position.

**At-Will Employment.** All classified employees are employed “at-will”. A classified “at-will” employee may be terminated at any time, for any reason, except as otherwise provided by law.

### **14. Term of Employment for Classified Employees.**

The typical “term of employment” for a classified employee is either 10, 11 or 12 months. Residential instructors and most other residential staff, teacher assistants and a few other types of employees typically are “10-month” employees. A “10-month” employee usually begins work during the August in-service week (the week



before the students arrive) and ends work the day after student graduation in May. Like contract employees, some classified employees who are 10-month employees have the opportunity to work varying numbers of days during TSD summer programs. The employee is paid for the days worked. Employment in TSD summer programs is not guaranteed for any employee.

Some administrative support staff and other employees are "11-month" employees. These employees usually begin work during the August in-service week and end work on June 30. These schedules may vary somewhat from employee to employee; the employee's supervisor will inform the employee as to the exact days the employee is expected to work.

Other employees are "12-month" employees. This includes the administrative support staff in the Superintendent's office, outreach, technology, support staff, and many maintenance, custodial and Business office employees.

## **15. Work Schedule for Classified Employees**

Support employees are employed at will and will be notified of the required duty days, holidays, and hours of work for their position on an annual basis. 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.

## **C. Continuing Employment**

### **1. Reassignments and Transfers**

All personnel are subject to assignment and reassignment by the Superintendent. When reassignments result from enrollment shifts or program changes, the Superintendent has final authority on where an employee will work. Extracurricular or supplemental duty assignments may be reassigned at any time. Employees who object to a reassignment may follow the process for employee complaints as outlined in this handbook and TSD policy DGBA.

Teachers requesting a transfer to another department before the school year begins must submit their request by July 1. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resources office and must be approved by the Superintendent.



Classified employees wishing to transfer should submit a State of Texas application for a posted position.

## 2. **Reclassifications, Promotions, and Demotions**

An employee's position classification may be changed as a result of several events. An internal classification review or an external classification audit may reveal that the position has been misclassified and must be changed. A reclassification may also be necessitated by organizational restructuring, or by the deletion and creation of different classifications by the Legislature. In any event, a position must be placed in the classification which most closely matches its actual duties; therefore, reclassifications are made for the purpose of complying with the State's Position Classification Act.

A promotion means a change in duty assignment from a position in one classification to a position in another classification in a higher salary group having higher qualifications. A demotion means a change to a position in a lower salary group. A promotion or demotion may occur because an employee has voluntarily applied and been selected for a different position on campus. A promotion or demotion may also occur when the employee has stayed in the same position but has gained or lost responsibilities.

## D. **Termination of Employment**

### 1. **Resignations**

**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 certified letter is considered submitted upon mailing. Contract employees may resign at any other time only with the approval of the Superintendent. Resignation without the consent of the Superintendent 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 (see section D5, below).

**Classified Employees.** Classified employees may resign their positions at any time. A written notice of resignation should be submitted to the employee's supervisor 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.

## **2. Dismissal or Nonrenewal of Contract Employees**

Employees on probationary or term contracts can be dismissed during the school year or nonrenewed at the end of the year according to the procedures outlined in TSD policies. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The time lines and procedures to be followed when a suspension, termination, or 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 policies that are provided to employees or in the TSD policy manual accessible through TSD computers.

## **3. Dismissal of Classified Employees**

TSD classified 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 TSD to dismiss any employee for reasons of race, religion, sex, national origin, disability, military status, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Classified employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the grievance process in TSD Policy DFGB, accessible through TSD computers and available from the Human Resources office, when pursuing the grievance.

## **4. Exit Interviews and Procedures**

An employee separating from TSD employment will be provided an individual password by Human Resources to use in completing an online exit interview through the State Auditor's office. The employee's responses are confidential and are not reported to TSD except in a compiled statistical report. The employee's identity is not revealed to TSD. The Employees Retirement System will provide a separating employee with information on the continuation of benefits. Separating employees are asked to provide TSD with a forwarding address and phone number.



All TSD keys, books, property, and equipment must be returned upon separation from employment. Supervisors are responsible for completing the applicable portion of the Texas School for the Deaf Separation Report and for providing accurate information to Human Resources regarding the employee's use of leave and other factors that would affect the separating employee's final pay and separation date. The Human Resources staff is responsible for processing separations in conjunction with the Payroll Department to result in compliance with all applicable laws and timely, accurate final pay for the employee.

## **5. Reports to the State Board for Educator Certification**

The dismissal or resignation of an employee with an educational certification will be reported to the SBEC if there is reasonable evidence that the employee's conduct involves the following:

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

## **E. Employment After Retirement**

The School may hire as regular, substitute or temporary employee any person who has retired under the Employees Retirement System.

Any person who has retired under the Employees Retirement System and is seeking employment with the School must apply for any position competitively as an external applicant. A retiree may not apply for positions available only to internal applicants. A person who retires under the Employees Retirement System may return to TSD employment without a loss in retirement benefits provided it has been one full calendar month since the retirement date.

## **F. Personnel Records**

### **1. Updating Information in Personnel Files**



A TSD employee is responsible for promptly notifying the Human Resources office of any changes of name, home address, telephone number, and emergency contact.

## **2. Employee and Public Access to Employee Employment Records**

The Texas Public Information Act is the state law that governs access to employee records maintained by TSD. All records contained in an employee's personnel file, including the file maintained in the Human Resources office as well as in any other area of the school, are available to that employee or the employee's designated representative.

Under the Texas Public Information Act, most employee records maintained by TSD are available upon request to a member of the general public. This information includes the names, sex, ethnicity, salaries, title, and dates of employment of all TSD employees and officers.

An employee may choose to have TSD withhold the employee's address, phone number, social security number, and information that reveals whether the employee has family members. Each new employee will be asked to indicate in writing whether the employee will allow the general public to access this information. If an employee fails to make this choice within 14 days of beginning employment, this information will be subject to public access. An employee who did not make this choice within 14 days of hire or who would like to change the employee's determination about this information may do so any time by notifying the Human Resources office and putting the request in writing.

Other employee information that is not available to the general public includes 1) information in an employee's personnel file, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and 2) transcripts of professional public school employees (although the degree obtained by the employee and the curriculum indicated on the transcript of professional public school employees is not exempted from disclosure).

## **3. Requests for Public Information**

An employee or member of the general public who is requesting employment records related to any current or former TSD employee may make such a request of the Human Resources Director, Superintendent, or Superintendent's Executive Assistant.



#### **4. Administrative Access to Employment Records**

The employment records of a TSD employee, with the exception of medical records which are confidential by law, may be accessed by:

1. The employee's current supervisor(s).
2. Supervisors and administrators in the chain of command of any position for which the employee has applied.
3. The Superintendent's designee.
4. TSD Legal Counsel.
5. Representatives of the office of the State Auditor, the Texas Education Agency, and any entity which accredits, audits, or monitors the Texas School for the Deaf.
6. Anyone with a valid court order or subpoena specifying particular personnel records.

#### **G. Performance Evaluation**

Evaluation of an employee's job performance is a continuous process with the goal of performance improvement.

##### **1. New Classified Employees and Classified Employees Moving to a Different TSD Position.**

A new employee serves a probationary period for the first six months of employment. During the probationary period, the supervisor may provide the employee written or verbal feedback about the employee's performance. At the end of this period, the employee's supervisor conducts an evaluation of the employee's performance and makes a recommendation whether or not to continue the employee's employment or to extend the probationary period. If other employees in the same type of position as the probationary employee receive an annual evaluation during the employee's probationary period, the supervisor may choose to evaluate the probationary employee at that time. For example, if an employee is hired in February and has a work schedule that extends through the end of May, the supervisor may evaluate the employee at the end of May rather than waiting until the end of the six-month probationary period in September.



A classified employee who is moving to a different TSD position because of a transfer or promotion must also serve a 6-month probationary period in the new position. At the end of this period, the employee's supervisor conducts an evaluation of the employee's performance and makes a recommendation whether or not to continue the employee's employment or to extend the probationary period.

## 2. **Classified Employees**

During the evaluation year, which begins in August and continues until the end of the employee's scheduled work time, the employee's supervisor may provide the employee with verbal or written feedback related to the employee's performance. At the end of the performance year in May, June, or July, the employee is evaluated by the employee's direct supervisor using an evaluation instrument based on the employee's assigned job duties and other job-related criteria. The employee is given the opportunity to complete a self-evaluation. The supervisor and the employee meet to discuss the evaluation and the self-evaluation, if the employee chose to complete one, and the employee is given the opportunity to provide verbal and/or written comments about the evaluation.

## 3. **Teachers**

TSD teachers are evaluated using either the Professional Development and Appraisal System (PDAS) or the Alternative Annual Appraisal.

**PDAS.** Teachers who have not previously received an orientation to Professional Development and Appraisal System (PDAS) are provided with an orientation at the first of the school year. When a teacher is appraised using the PDAS, the teacher will be appraised using criteria grouped into eight educational domains and rated as Exceeds Expectations, Proficient, Below Expectations and Unsatisfactory. The evaluation process includes at least one 45-minute observation and observation summary report by the teacher's appraiser and the completion of a "self-report" by the teacher. The teacher's appraiser will collect cumulative performance data on the teacher's performance during the appraisal period, including data from unscheduled observations. The appraiser will complete a Summative Annual Appraisal Report for the teacher which the teacher and appraiser discuss at a summative conference.

A teacher whose performance is in need of improvement in a particular educational domain(s) may receive an individualized intervention plan.



**Alternative Annual Appraisal.** A teacher who has worked at TSD for at least three consecutive years and has been rated at a certain level on the PDAS may choose to be evaluated using the Alternative Annual Appraisal; the PDAS must be completed at least once every three years. The Alternative Annual Appraisal process consists of a teacher self-report, the establishment of three professional goals, at least one “walk-through” visit to the teacher’s classroom of at least five minutes with a written, summative annual appraisal report and a summative annual conference. Either the teacher or the teacher’s appraiser may decide at any time that the PDAS, rather than the Alternative Annual Appraisal, will be conducted for the teacher.

#### **4. Educational Administrators**

Educational administrators are evaluated annually using a performance appraisal system consisting of a self evaluation and a written evaluation prepared by the administrator’s supervisor. The evaluation form includes the responsibilities found on the job description for the administrator’s position.

#### **5. Other Contract Professional Educators**

Performance evaluations are completed at the end of the contract year by the employee’s direct supervisor. The evaluation uses the same instrument used for non-contract employees and is based upon the duties listed in the employee’s job description, work relationships and other work related factors. The evaluation is completed at the end of the contract year on an annual basis.

For more information about Performance Evaluations, an employee may refer to TSD Administrative Procedure: Performance Appraisal System for Classified Employees; or Teacher Appraisal Procedure.

### **H. Disciplinary Action for Classified Employees**

TSD Procedure Employee Non-Disciplinary and Disciplinary Action includes a four-level process for ongoing performance evaluation and possible disciplinary action, up to and including termination. The levels are: 1) Performance Conference Report to use to document positive performance or to inform an employee of minor or emerging performance problems; 2) Unsatisfactory Performance Report to use when an employee’s performance has not improved after one or more Performance Conference Reports or when an employee engages in serious misconduct for the first time; 3) Disciplinary Probation to use when an employee’s performance has not improved after



one or more Performance Conference Reports and/or Unsatisfactory Performance Reports or when the employee engages in very serious misconduct for the first time; and 4) Termination to use when an employee's performance has not improved after Performance Conference Reports and/or Unsatisfactory Performance Reports and/or Disciplinary Probation or when an employee engages in extremely serious misconduct for the first time.

The Employee Non-Disciplinary and Disciplinary Action procedure is accessible through TSD computers and is available through the Human Resources Office. The procedure also explains an employee's options of contesting disciplinary actions.

## **I. Staff Development**

Staff development activities are organized to meet the needs of employees and the School. Staff development for instructional personnel is predominantly department-based, related to achieving department performance objectives, and developed and approved by the site-based department committee. Staff development for non-instructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

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

For more information, an employee may refer to TSD Policy DMA.

## **J. 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 TSD. Employees are recognized at board meetings, in the Lone Star (a special TSD magazine) and through special department events and activities. Recognition and appreciation activities also include the annual end-of-school-year Staff Appreciation Breakfast.





## **K. General Rules for All Employees**

### **1. Employee Arrests and Convictions**

An employee who is arrested for any felony or any offense involving moral turpitude must report the arrest to the Superintendent or immediate supervisor within three calendar days of the arrest. An employee who is convicted of, or receives deferred adjudication for such an offense must also report that event to the Superintendent or immediate supervisor within three days of the event. Moral turpitude includes, but is not limited to dishonesty; fraud; deceit; theft; misrepresentation; deliberate violence; base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor; drug- or alcohol-related offenses; and acts constituting abuse under the Texas Family Code.

### **2. Tobacco Use**

TSD is a tobacco-free school. Smoking or using tobacco products is prohibited on all TSD 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 TSD-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.



### **3. Attendance**

All TSD employees are expected to be at their assigned places of work during scheduled hours unless officially excused by the supervisor. Unnecessary lateness or absenteeism is expensive, disruptive, and places an unfair burden on other employees. If an employee is going to be late or absent for any reason, the employee must inform the employee's supervisor as early as possible. The employee's department supervisor will provide the employee with more detailed procedures. All employees are expected to arrange personal affairs so that they do not interfere with work. Personal phone calls, errands, and visits from other people should be made before and after work. If an employee must leave work early, the employee must get permission in accordance with department's procedures.



#### 4. Dress and Personal Grooming

All TSD employees are expected to dress and maintain a personal appearance to reflect a professional work attitude and to exemplify themselves as role models for children and young adults. Additionally, staff are expected to dress in a manner which will not be a health or safety hazard.



General Guidelines - Employee appearance and dress must be appropriate and safe for the type of work performed. Staff must exhibit grooming, hygiene and attire appropriate for a student role model and a representative of the School in contact with parents, campus visitors, and members of the community.

Guidelines for dress and appearance cannot anticipate and specifically address any and all issues that might arise in this area. In all cases, supervisors are authorized by the Superintendent to prevent staff who are not appropriately attired and groomed from working. Such staff will be sent home and allowed to return to work only when their appearance meets School standards.

Specific rules include:

- Shorts and skirts must be at least of mid-thigh length. No gym, running, or bike shorts, with the exception that physical education teachers may wear gym shorts.
- No tube tops, halter-tops, crop tops, (i.e., no exposed midriffs); no shirts with the sleeves cut out or sleeveless shirts with oversized armholes.
- No cut off or ripped clothing of any kind.
- Shoes must be worn at all times, except during swimming/water activities.
- Swimwear may only be worn during swimming/water activities. If swimwear is worn to work on a day when such an activity is scheduled, it must be covered with appropriate clothing.
- No clothing displaying language, slogans, images, or advertisements inappropriate for a school setting.
- No visible tattoos depicting inappropriate images or language.



#### 5. Sign Language

Using sign language while at work is very important to students and staff!



**Learning Sign Language.** All employees are expected to learn sign language skills at the level assigned to the employee’s position. For example, all teachers are expected to use sign language at an “advanced” level. Other positions may be assigned a level of “survival” or “intermediate” skills.

An employee who is just learning to sign or who has not yet reached the competence level assigned to the position is required to take sign language classes. Sign language classes taught by TSD teachers are continually offered. An employee’s sign language skills are assessed until the employee reaches the competence level assigned to the employee’s position. An employee’s participation in activities for improving sign language skills is considered as part of the employee’s performance evaluation.

**Specific Performance Expectations for Using Sign Language at School and at School-Related Activities.** TSD has established specific performance expectations related to using sign language at School and at school-related activities. These expectations are intended to ensure respect for our students and all other deaf people within the school environment and to facilitate a friendly and comfortable environment.

The general expectation is that each employee must sign to the best of the employee’s ability when a deaf person is in the conversational area or close enough so that the deaf person would feel comfortable joining the conversation. If a student is close enough to observe a conversation, each employee must continuously sign to the best of the employee’s ability. If a deaf person enters an area where staff members are not signing, the staff members must begin signing.

By “sign to the best of the employee’s ability”, it is meant that proficient signers should sign continuously and less than proficient signers should sign as much as possible, using as many signs, topics and comments as possible to allow a deaf person observing a conversation to know what the conversation is about. Our employees have all levels of signing skills from non-functional to superior.

The employee’s direct supervisor is available to provide additional information about signing at TSD.

Keep On Signing!!



## 6. Standards of Conduct

All Texas School for the Deaf employees are responsible for standard practices and ethical conduct toward students, professional colleagues, parents and the community. TSD employees should endeavor to maintain the dignity of the educational profession by respecting and obeying the law, demonstrating personal integrity and exemplifying honesty.

All employees are expected to work together in a cooperative spirit to serve the best interests of TSD and to be courteous to students, one another, and the public.

Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights and property of students and coworkers and 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 TSD procedures and policies.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use TSD time, funds, and property for authorized TSD business and activities only.

All TSD employees should perform their duties in accordance with state and federal law, TSD policy, and ethical standards for professional educators. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination.

Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day the Superintendent first learns of the incident.

## 7. Fraud and Financial Impropriety

A TSD employee should act with integrity and diligence in duties involving TSD's financial resources. TSD prohibits fraud and financial impropriety. Fraud and financial impropriety includes, but is not limited to, the following:

- Forgery or unauthorized alteration of any document or account belonging to TSD;
- Forgery or unauthorized alteration of a check, bank draft, or any other financial



document;

- Misappropriation of funds, securities, supplies, or other TSD assets, including employee time;
- Impropriety in the handling of money or reporting of TSD financial transactions;
- Profiteering as a result of insider knowledge of TSD information or activities;
- Unauthorized disclosure of confidential or proprietary information to outside parties;
- Unauthorized disclosure of investment activities engaged in or contemplated by TSD;
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to TSD;
- 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; and
- Any other dishonest act regarding TSD finances.

#### **8. Conflict of Interest**

A TSD employee is required to disclose to the employee's 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 TSD's best interests.

This includes the following:

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

An employee with a substantial interest in a business entity or interest in real property must disclose the interest to TSD prior to the award of a contract or authorization of payment. This is done by filing an affidavit with the Superintendent. An employee is also considered to have substantial interest if a close family member (e.g., spouse, parent, child, or spouse's parent or child) has a substantial interest.

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

All Texas educators are responsible for complying with the standards in the Code of Ethics and Standard Practices for Texas Educators as follows:



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

## **Professional Standards**

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

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



## **2. Ethical Conduct Toward Professional Colleagues**

- Standard 2.1 The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- Standard 2.2 The educator shall not harm others by knowingly making false statements about a colleague or TSD.
- Standard 2.3 The educator shall adhere to written TSD board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
- Standard 2.4 The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
- Standard 2.5 The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, sex, disability, or family status.
- Standard 2.6 The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC under this chapter.

## **3. Ethical Conduct Toward Students**

- Standard 3.1 The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
- Standard 3.2 The educator shall not knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health, or safety.
- Standard 3.3 The educator shall not deliberately or knowingly misrepresent facts regarding a student.
- Standard 3.4 The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, sex, disability, national origin, religion, or family status.
- Standard 3.5 The educator shall not engage in physical mistreatment of a student.
- Standard 3.6 The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student.



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

## **10. Drug-Free Schools and Drug-Free Work Place**

TSD prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace.

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the School, and referral to appropriate law enforcement officials for prosecution.

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. As a further condition of employment, an employee shall notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

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

## **11. Complaints and Grievances**

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

The formal grievance process provides an employee with an opportunity to be heard up to the highest level of management if the employee is dissatisfied with an administrative response. Once all administrative grievance procedures are exhausted, employees may bring grievances to the Governing Board.

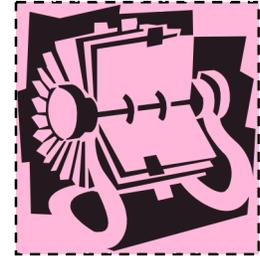
The Board policy addressing Employee Complaints is DGBA. The form the employee



needs to complete when making a complaint under Policy DGBA is DGBA-E. The policy and the form are accessible by all employees as described above in section I,D, above, TSD Policies and Procedures. An employee needing assistance either accessing the policy or in understanding how to proceed under the policy should direct questions to the Human Resources Director.

## 12. Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the Human Resources office if there are any changes or corrections to their name, home address, home telephone number, marital status, emergency contact, or beneficiary. Forms to process a change in personal information may be obtained from Human Resources.



## 13. Reporting Suspected Child Abuse, Neglect, Exploitation and Improper Care

Any TSD employee having cause to believe that a student's physical or mental health or welfare has been or may be adversely affected by abuse, neglect or exploitation must report immediately regardless of where the alleged event occurred. Failure to report suspected child abuse or neglect is a Class B misdemeanor punishable by imprisonment of up to 180 days and/or a fine of up to \$2000. Your report of child abuse or neglect is confidential and immune from civil or criminal liability as long as the report is made in "good faith" and "without malice".

**How to Report at TSD.** Monday through Friday (7:00 a.m. to 5:00 p.m.) all reports of suspected student abuse, neglect, exploitation and improper care shall be made to TSD Social Worker Joan Boyce at extension 5413 (for students in High School, Middle School or Career Technology Education) or TSD Social Worker Lynn Hubertus at extension 5219 (for students in Early Childhood Education, Elementary or Special Needs). The reporting staff member must then complete a CHILD ABUSE REPORTING FORM and give it to the Social Worker within 24 hours.

Monday through Friday (5:00 p.m. to 7:00 a.m.), reports shall be made to the Health Center immediately. On weekends, staff are required to report to the on-duty or on-call Residential Supervisor. The reporting staff member must then complete a CHILD ABUSE REPORTING FORM and give it to the Nurse (for reports to Health Center) or the Residential Supervisor (for reports to the Residential Supervisor) within 24 hours.



**You May Also Report to Other Places.** A staff member who suspects that a TSD student has been the victim of abuse, neglect or exploitation may also report the staff member’s belief to:

- A local or state law enforcement authority; or
- Abuse Hotline (toll free number—1-800-252-5400); or
- A local office of Child Protective Services.

**Please Don’t Question Those Involved.** Except for asking the student questions related to providing medical care, Administrators, Supervisors and Staff should not question the students, staff or any witnesses involved after the incident occurs or the report is received. The investigating Social Worker will question all persons involved when the investigation of the report is conducted.

#### **Definitions.**

**Abuse**—any intentional, knowing, or reckless act or omission by an employee, volunteer, or other individual working under the auspices of a facility that causes or may cause emotional harm or physical injury, whether substantial or not, or the death of a child the facility serves. Abuse includes both physical and sexual abuse.

**Emotional harm**—an injury to a child as evidenced by an observable physical, mental, or emotional impairment in the child’s psychological growth, development, or functioning.

**Exploitation**—the illegal or improper use of a child or of the resources of a child served by a facility for monetary or personal benefit, profit, or gain by an employee, volunteer, or other individual working under the auspices of a facility.

**Neglect**—a negligent act or omission by an employee, volunteer, or other person working under the auspices of a facility, including failure to comply with an individual treatment plan, plan of care, or individualized service plan, that causes or may cause substantial emotional harm or substantial physical injury to, or the death of, a child served by the facility.

**Physical injury**—any bodily harm, including, but not limited to, scrapes, cuts, welts, and bruises.



**Sexual abuse—**

- conduct that constitutes the offense of indecency with a child, sexual assault or aggravated sexual assault;
- failure to make a reasonable effort to prevent sexual conduct harmful to a child;
- compelling or encouraging the child to engage in sexual conduct;
- causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child, if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene or pornographic;
- causing, permitting, encouraging, engaging in, or allowing a sexual performance by a child.

**Improper Care**—any action by a TSD employee which does not constitute “abuse”, “neglect” or “exploitation” but which constitutes an inappropriate or unapproved verbal or physical method of interacting with or disciplining a student.

**14. Associations and Political Activities**

TSD 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.

**15. Searches**

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, TSD 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. TSD may search the employee, the employee’s personal items, work



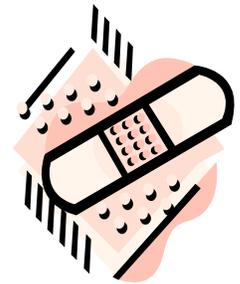
areas, lockers, and private vehicles parked on TSD premises or work sites or used in TSD business.

**16. Drug and Alcohol Testing for Employees Required to Have Commercial Driver's License**

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

**17. First Aid and CPR Certification**

Head coaches or chief sponsors of an extracurricular athletic activity (including cheerleading) that is sponsored or sanctioned by the School or the University Interscholastic League (UIL) must maintain and submit to TSD proof of current certification in first aid and cardiopulmonary resuscitation (CPR). Certification must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification.



**18. Incidental Use of State Telephones, Electronic E-Mail, Internet Connections, Computers, and Other Equipment Assigned Directly to the Employee**

With certain exceptions, a TSD employee may not use any TSD property, including cell phones and pagers, for an employee's personal use, including to benefit the employee commercially. An employee who uses TSD property in ways not authorized or who does not reimburse TSD for all costs related to the use is subject to disciplinary action.



An employee's personal use of all state equipment (telephones, e-mail, internet, cell phones, pagers, and other equipment) is subject to administrative monitoring; the use and content of employee communications are not confidential or private.

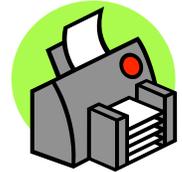
A TSD employee may use TSD telephones, e-mail, internet





connections and computers during the employee's work day/shift only if:

- 1) the use does not result in any direct cost to TSD (for telephone use, this rule applies to local calls as well as long distance calls);
- 2) the use does not impede the performance of work-related responsibilities of the employee or other employees including the supervision of students;
- 3) the use is not made for the employee's commercial purposes; and
- 4) the employee uses only incidental amounts of time (time periods comparable to approved break times; if an employee begins but does not complete a call during a break time, the employee must terminate the call when the break time is over). Any supervisor may further restrict the times during which an employee may use school equipment for personal uses, including during break times.



**19. Employee Personal Use of TSD Fax Machines, Copy Machines and Printers With Reimbursement to TSD for Costs**

With specific permission of the employee's supervisor for each time used, an employee may make occasional use of the TSD fax machines, copy machines and printers under the following conditions:

- 1) The employee tracks the number of sheets of paper the employee uses (a received fax includes all pages and confirmation page; an outgoing fax includes only confirmation page);
- 2) The employee reimburses TSD at the rate of 10 cents per side of paper for black and white copies, printed material and faxes; and \$1.00 for color copies or prints; payable to a designated individual within the employee's department (for example, the department head secretary).

**20. Copyrighted Materials**

A TSD employee is expected to comply with the provisions of copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.).



Rented videotapes are to be used in the classroom for educational purposes only. Duplication or backups of computer programs and data must be made within the provisions of the purchase agreement.

## **21. Use of School Vehicles**

School vehicles may be used only for school business. Personal use of school vehicles is prohibited. An employee may drive a school vehicle for school business only with the permission of the Transportation Department and the employee's supervisor.

## **22. Meals**

TSD employees and guests are welcome to eat in the school cafeteria. Prices for meals are established annually. An employee may contact the Cafeteria at ext. 5398 for additional information.



## **23. Computer Use and Data Management**

The school's electronic communications systems, including network access to the Internet, is primarily for administrative and instructional purposes. Limited personal use of the system is permitted if the use:

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

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



Employees and students who are authorized to use the systems are required to abide by the provisions of TSD's communications systems policy and administrative procedures. Failure to do so may result in suspension or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management may contact their supervisor.

## **24. Safety**

The goal of TSD's comprehensive safety plan is to create and maintain a positive, safe and welcoming school climate in which all members take pride. This climate is free of



drugs, gangs, violence, intimidation, fear, and shaming. A healthy, positive school climate promotes the emotional well-being and growth of every student, while providing a safe, secure environment that does not condone violence in any form. 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 TSD 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 may contact the TSD Risk Manager at ext. 5390.

## L. General Procedures for All Employees

### 1. Purchasing

All requests for purchases must be submitted to the Purchasing department on an official purchase requisition form with the appropriate approval signatures. The Purchasing department will assign a purchase order number to each. No purchases, charges, or commitments to buy goods or services for the school can be made without a purchase order number. The School 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 school. An employee may contact the Purchasing department at ext. 5345 for additional information on purchasing procedures.

### 2. Equipment and Supplies

TSD believes that employees need proper tools and equipment to do their jobs efficiently and safely. Employees will be given most tools, supplies and equipment needed to perform their job duties.





Employees are expected to follow rules for proper use of all equipment, and for some employment positions, may be required to attend special training for the use of certain supplies and equipment and may be required to use protective devices. An employee may discuss the need for any specialized equipment or supplies with the employee's supervisor.

Employees are expected to take care of all school property in their use, including requesting repairs when necessary. An inventory of school property is conducted at least annually. If property is missing or damaged, the employee who is responsible for the property will be expected to account for it. Employees can and will be held financially responsible for property in their care.

The use of State property for personal benefit is prohibited. An employee whose work regularly requires that the employee use the employee's personal vehicle for school business, the employee may be reimbursed according to established school and state guidelines.

All employees are expected to follow departmental procedures for requisitioning supplies provided by individual supervisors. Requisitions will be filled according to TSD procedures used campuswide.

### **3. Keys and Gate Cards**

Many employees will be issued keys to rooms and buildings on the school grounds associated with the employee's work. Additionally, each employee who brings a vehicle onto the school grounds will be issued a gate card to access the grounds.



TSD keys and gate cards are maintained and issued by the Security department. Keys and gate cards are the property of the school and must be paid for if lost or damaged through improper use. Employee supervisors and security officers are available to provide additional information about obtaining and returning keys and gate cards.

### **4. Petty Cash Purchases**

An employee needing to purchase items that cannot be obtained through the regular purchasing process and who obtains permission from the employee's supervisor may be reimbursed for purchases made for school business.



The employee's supervisor or the TSD Chief Accountant is available to explain the details of petty cash purchases.

## **5. Travel Expense Reimbursement**

Before any travel expenses are incurred by an employee, the employee's supervisor must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the Comptroller of Public Accounts. The employee's supervisor and the Accounting Manager have additional information about reimbursement for travel expenses.





## III. Compensation

### A. Monthly Pay

#### 1. Payday, Monthly Paychecks, and Special Paychecks

**Payday.** The regular payday for full- and part-time TSD employees is the first workday (Monday through Friday) of the month that is not a state or federal holiday. An employee may be paid on a day after the first workday of the month for various reasons, including that the Payroll office was not provided timely information related to the employee's absences. The pay received on the first working day of the month is for services rendered to TSD during the previous month.



Substitute employees are paid on the 15<sup>th</sup> of the month.

**Special Paychecks.** Checks for special forms of pay such as overtime and shift differential payments are normally available by the 15th of the month following the month worked.

#### **Salary.**

- **Classified Employees.** Classified employees are paid a monthly salary in accordance with the appropriate pay group as designated by the Position Classification Plan.
- **Contract Employees.** By law, TSD must pay contract employees a salary equal on a daily-rate basis for comparable positions in the Austin Independent School District (AISD). AISD has two basic types of salary scales: the "P" scales, used for most contract employees; and the "A" scales, used for administrators and a few other types of positions.

The daily rate of a contract employee on any of the P scales may be determined by referring to the AISD pay scales, using the type of degree and the number of years of experience the employee has. An employee wishing to determine the daily rate



for a contract employee on the “A” scales should contact the Human Resources Office.

A contract employee who is scheduled to work 187 days may choose to have the contract salary paid in 10 or 12 monthly payments. A contract employee scheduled to work more than 187 days may choose to have the contract salary paid in 11 or 12 monthly payments.

The formula for determining a contract employee’s monthly salary when the employee is hired for a full year is:

$$\frac{\text{Daily Rate} \times \text{Number of Days Contracted}}{10, 11 \text{ or } 12 \text{ (number of months to be paid)}} = \text{Gross Monthly Salary}$$

With each salary check, an employee will receive a “Statement of Earnings” showing gross pay, deductions, and net salary. An employee with a question regarding a paycheck should contact the Human Resources office.

## 2. **Additional Payments**

**Merit Salary Increases.** State law allows TSD to grant merit salary increases to a classified employee when the following criteria are met:

- the employee must have been employed by TSD for at least six continuous months prior to the award of the increase or payment; and
- at least six months must have elapsed since the employee’s last promotion, enhanced compensation award authorized by the General Appropriations Act, one-time merit payment, or merit salary increase at the agency; and
- the employee’s performance over a period of six months prior to the merit award must have been proficient or above; and
- the employee may not have been the subject of an Unsatisfactory Performance Report, Disciplinary Suspension, or Disciplinary Probation within the past 6 months; and
- the employee must have either achieved the level of sign language proficiency indicated in the employee’s job description or have made a continuous sustained effort to reach this level; and
- the employee’s supervisor must have completed the employee’s performance evaluation according to the schedule in TSD Procedure DNAA, Employee Performance Evaluations.



The awarding of merit salary increases at TSD is contingent upon the availability of funds designated for that purpose. TSD may also award a “one-time merit” payment, instead of a monthly salary increase, to an employee meeting the criteria for a merit raise. Please contact the Human Resources office for additional information.

**Benefit Replacement Pay (BRP).** Prior to September 1, 1995, as a benefit to an employee, the State paid a portion of employees' required Social Security contribution. The legislature eliminated this benefit for employees hired after August 31, 1995. An employee hired on or before August 31, 1995 whose annual salary exceeds \$16,500 and who has not left state employment for a period of greater than 30 calendar days effective 9/1/05 continues to receive an additional amount of pay as a replacement for the Social Security contribution benefit that is no longer available. This amount is referred to as “BRP”. The amount of BRP is 5.85% of the employee’s monthly salary but the total amount an employee may receive during the calendar year may not exceed \$965.25. A return-to-work retiree who retired June 1, 2005 or after is no longer eligible to receive BRP.

An employee may choose to have the total amount leveled (i.e.—divided into equal parts) and receive one part for each paycheck. Annually, in October, the Payroll Department sends a written notice to each employee who receives BRP and asks the employee if the employee wants to level the amount (one part per paycheck) or get the amount in greater portions in the January, February, and March paychecks.

After an employee has selected to level each paycheck, the employee must stay with this option through the calendar year. An employee who terminates TSD employment before the end of the calendar year will not receive any repayment for the portion of the benefit replacement pay that would have been received had the employee not participated in the leveling program.

**Longevity Pay.** A TSD employee is entitled to longevity pay to be included in the employee’s monthly paycheck if the employee is a full-time employee on the first workday of the month; is not on leave without pay on the first workday of the month and has accrued at least two years of lifetime state service credit. The employee will receive \$20 per month for every two years of state service. This monthly amount will





increase by an additional \$20 for each additional two years of service up to 42 years of service credit.

The following table addresses whether a retiree will receive longevity.

If an employee retired from state employment...	and the retiree returned to state employment full-time ...	then effective September 1, 2005, the employee ...
on or after June 1, 2005,	at any time,	is ineligible for longevity pay.
before June 1, 2005,	before September 1, 2005,	will be eligible for longevity pay but that longevity pay is then limited to the amount of longevity he or she was entitled to receive immediately before September 1, 2005.
before June 1, 2005,	on or after September 1, 2005,	is ineligible for longevity pay.
before June 1, 2005,	before September 1, 2005, but later terminates employment and returns a second time,	is no longer eligible for longevity pay.

### 3. Automatic Payroll Deposit

An employee may have the employee’s paycheck electronically deposited into an account at the financial institution of choice as long as the financial institution allows for direct payroll deposit. A notification period of one month is usually necessary to activate this service. With automatic deposit, an employee’s pay is immediately deposited on the pay date, but the funds may not always be available to the employee, depending on the financial institution’s policy. Please contact Payroll for more information about the automatic payroll deposit service.

### 4. Payroll Deductions

All employees will have the following three types of deductions withheld from their pay every month; the employee’s pay stub will indicate the actual amount deducted:

- **Federal Withholding.** The amount deducted from the employee’s pay will



depend on the employee's salary and the number of dependents the employee claims for tax purposes.

- **FICA Taxes.** Two Federal Insurance Contributions Act (FICA) taxes are deducted: 1) a Social Security tax (also known as the Old Age, Survivors, and Disability Insurance or OASDI tax) of 6.2%; and 2) a Medicare tax of 1.45%.
- **Retirement.** A deduction of 6% of gross salary is made for the Employees Retirement System (ERS). The Employee Retirement System is explained in the "Benefits" section of this handbook.

Other deductions are:

**Health Care Coverage.** The amount an employee will have deducted for health insurance varies with the type of coverage the employee chooses. Generally, for a full-time employee, if the employee only chooses to cover the employee him/herself (and no spouse or family member), the State of Texas will cover the entire premium and the employee will not have any amount deducted from the employee's pay. If an employee works less than full-time, the employee is required to pay 50% of the premium for the employee's own medical coverage.

When an employee chooses to purchase insurance coverage for the employee's spouse and/or family members, the cost of the coverage not paid for by the State will be deducted from the employee's pay on a monthly basis.

If the employee chooses to purchase dental insurance or other types of optional coverage, the cost of the insurance premiums for the employee and spouse and/or family members will also be deducted from the employee's pay on a monthly basis.

Group insurance options are explained in the "Benefits" section of this handbook.

**TexFlex Reimbursement Accounts.** A TexFlex Reimbursement Account provides a way to set aside an amount of money that will not be taxed that can be used for medical and dependent care expenses. The amount an employee can set aside is determined by federal law. These accounts are explained in the "Benefits" section of this handbook.

**U.S. Savings Bonds.** An employee may purchase United States Savings Bonds by having money deducted from the employee's pay. The amount deducted varies,



depending upon the value of bond the employee purchases. More information is available through the Human Resources office.

**Deferred Compensation and Tax-Sheltered Annuities.** A state employee may choose to deposit a portion of the employee’s monthly pay in an investment account which the employee manages. The money deposited is not taxed before it is placed in the investment account although taxes are deducted at the time in the future when the employee receives the money from the account. The amount an employee may deposit into the investment account is determined by federal law. More information on these plans can be obtained from the Human Resources office.

#### **5. Reports Concerning Court-Ordered Withholding**

If a TSD employee is required by a court order or writ of withholding to pay child support or spousal maintenance and the employee’s TSD employment is terminated for any reason, within seven days after the employee terminates, TSD is required by state law to report to the court and to the individual receiving the support 1) the employee’s termination; 2) the employee’s last known address; and 3) the name and address of the employee’s new employer, if known.

### **B. Overtime and Compensatory Time**

#### **1. Fair Labor Standards Act.**

The Fair Labor Standards Act (FLSA) is a federal law that contains provisions related to minimum wage, working hours, earning overtime and recordkeeping requirements that TSD is required to follow. A TSD employee who is covered by the provisions of the FLSA is called a “non-exempt employee”. TSD non-exempt employees are generally non-professional employees, are not employed by an employment contract, and are not administrative or supervisory employees. A non-exempt employee is eligible to earn overtime credit.

A TSD employee who is not covered by the provisions of the FLSA is called an “exempt employee”. An employee is “exempt” if the employee’s position at TSD is an “executive”, “professional” or “administrative” position as those terms are defined by the FLSA. Exempt employees are not eligible to earn overtime credit and may be asked to work time outside of their regular schedule.

Employees with questions about the FLSA may contact the Human Resources office.



## 2. Overtime Compensation and State Compensatory ("Comp") Time

**Overtime Credit for Non-Exempt Employees.** A non-exempt employee earns overtime credit at the rate of 1 ½ hours for each hour worked over 40 hours in one work week. For example, if an employee works 46 hours in one week, the employee earns 6 hours of overtime; since one hour of overtime earns 1 ½ hours overtime credit, the employee has earned 9 (6 x 1 ½) hours of overtime credit. TSD's work week is Sunday through Saturday regardless of when an employee is scheduled to work. A TSD employee may only work hours in addition to the regularly scheduled 40 hours per week with prior permission from the employee's supervisor.



When an employee earns overtime credit, TSD may either 1) grant an employee "FLSA compensatory time" or "FLSA comp time" of 1 ½ hours for each hour worked and allow the employee to use the FLSA compensatory time to take time off from work at a later date in exchange for the FLSA comp time; or 2) pay an employee for the overtime credit. TSD must pay an employee for any overtime credits above 240 hours. Unless an employee has accrued more than 240 overtime credit hours, TSD normally grants FLSA comp time instead of pay. Overtime pay may be authorized by the Superintendent for good cause. There is no time limit within which FLSA comp time must be used and the employee will be paid for any unused time when the employee terminates TSD employment.

An exempt employee is not eligible to earn overtime or overtime credit hours.

## 3. State Compensatory Time

**Non-Exempt Employee.** State Compensatory Time ("state comp time") for an FLSA non-exempt employee is different from FLSA overtime. For FLSA overtime, an employee earns 1 ½ hours overtime credit for working one additional hour. For state comp time, an employee earns one hour of credit for working one additional hour.

When a non-exempt employee does not actually work (i.e.—physically present at work) more than 40 hours in one week, but has a combination of work and paid leave in one week which exceeds 40 hours, the employee earns state comp time for the



amount of time greater than 40 hours. For example, if an employee takes 8 hours of sick leave on Monday, works 8 regular and 2 extra hours on Tuesday, and works the regularly scheduled 8 hours only for the remaining three days of the week, the employee will have actually worked a total of 34 hours (8 + 8 + 8 + 8 + 2) in the week; since the sum of time worked (34) and paid leave (sick leave of 8 hours) equals 42, the employee will earn two hours of comp time for the two hours above 40 hours.

An employee must use any earned State comp time during 12-month period following the end of the work week in which the compensatory time was accrued or the state comp time lapses. The employee may not be paid for state comp time and the time may not be transferred to another state agency.



**State Comp Time for Exempt Employee.** When the sum of hours worked plus holiday or other paid leave taken by a full-time exempt employee during a work week exceeds 40 hours, the employee may earn a maximum of 10 hours per week of State Compensatory Time according to departmental guidelines. Amounts greater than 10 hours per week must be approved by the Department Head, Division Director and Superintendent. Like a non-exempt employee, the exempt employee must use any earned state comp time during 12-month period following the end of the work week in which the state comp time time was accrued or the time lapses. The employee may not be paid for State Compensatory Time and the time may not be transferred to another state agency.

### C. Documenting Time Worked

Each employee is responsible for completing a monthly timesheet for time worked and types of leave used during the month; if the timesheet is prepared by the department secretary or other administrative staff, the employee is responsible for reviewing the timesheet, making corrections, if needed, and verifying that the timesheet is correct by signing it. The employee's signature on the timesheet serves as verification that the timesheet is correct. If the employee is requested to, but does not sign or make corrections to the timesheet, the timesheet will be assumed to be correct.



## IV. Benefits

### A. Insurance and Deferred Compensation–Elective

#### 1. Health and Dental Insurance

The information in this handbook is a summary of employee insurance options. The Human Resources Office has additional, detailed information for any employee who is interested in learning more about the options.

#### **Benefit Elections and Changes**

This is very important: A new employee should carefully consider the types of coverages to select because opportunities for changing coverage after an employee has been employed for 31 calendar days are very limited.

After the first 31 days of employment, coverage changes may only be made as follows:

- **Summer Enrollment Period.** Each summer, during the “Summer Open Enrollment” period, an employee may add or increase coverage in HealthSelect, Term Life Insurance, Dependent Life Insurance, Disability Plans and Long-Term Care insurance. Before being allowed to make some of these additions or increases such as for some types of life insurance and adding a dependent for health insurance purposes, the employee must apply for and be approved for “Evidence of Insurability” (EOI). (See sections below “Evidence of Insurability” and “Qualifying Life Event”.)
- **Qualifying Life Event.** A “qualifying life event” includes marriage, divorce, birth/adoption of a child, change in employment status of a dependent and a few additional events. An employee may make certain changes related to health coverage and life insurance within 30 days after a “qualifying life event”. For example, if an employee marries and wants to add the employee’s spouse for purposes of health insurance coverage, the employee may do this within 30 days of the marriage; no “Evidence of Insurability” is required if the spouse is added within 30 days of the marriage; if the employee does not add the spouse within 30 days of the marriage, the employee must wait until the next Summer Enrollment Period. Other types of changes after the 30-day period following a qualifying life event also require “Evidence of Insurability”. (See immediately below.)



- **Evidence of Insurability.** Evidence of insurability (EOI) is an application process in which an employee provides medical information regarding the condition of the employee's health or the health of the employee's spouse or child, depending on the type of coverage to be added. EOI may be required to enroll in, add dependents to or increase some state insurance coverage. The application for EOI may require that the employee provide medical information such as height and weight, history of medical conditions, and recent medical treatments. The application is reviewed and either approved or disapproved by a life insurance agency used by the State of Texas for this purpose. The employee is able to add or increase the desired coverage only if the EOI application is approved.

### **Health Care Coverage**

At the present time, two health care plans are available to employees in the Austin area: HealthSelect and Scott & White Health Plans. HealthSelect is a program that offers two types of coverage to Austin area residents. If an employee 1) selects a primary care physician from an approved list of physicians; and 2) uses only medical services and providers as referred by their primary care physician, the employee will receive 80% coverage with limited deductibles. Additionally, the employee will be charged only \$20 for office visits to the Primary Care Physician and \$30 for specialists visits. This is called "network" coverage because of the network of primary care physicians who have contracted to provide services at lower, predetermined rates.

Employees who do not select a primary care physician or who use non-network providers (i.e.—providers of medical services who are not on the list of approved network providers) will get 60% coverage and will have a \$500 per individual/\$1500 per family yearly deductible (deductible comprises the medical expense considered by the insurance company as usual and customary charge for the area).

All participants will pay \$100 per day (up to 5 days) for inpatient hospital benefits, outpatient surgery and emergency room services plus 20% of the remaining charges. An employee who is 1) hired after August 31, 2003 or 2) rehired after leaving TSD or other state employment will have a 90-day waiting period for health coverage. This also applies to rehires who have a break in active employee coverage. Coverage will begin the first of the month following 90 days after the hire/rehire date.

Scott & White Health Plan is the Health Maintenance Organization (HMO) for the



Austin area. Like all HMO's, Scott & White Health Plan provides health care services for a fixed monthly fee so that participants have minimum of out-of-pocket expenses. Those expenses usually consist of co-payments for office visits, prescriptions, therapy (such as rehabilitative, mental health, speech and hearing) and other types of medical care. Scott & White Plan has a \$100 per day (up to 5 days) co-pay for inpatient hospital care. Members may only receive treatment and services from participating providers. Members have a primary care physician who must provide, arrange for, or authorize their services. Scott & White Health Plan does not guarantee the continued participation of any health care provider.

The health care plan that an employee chooses will be based on many individual considerations; no one plan is "the best". Cost, selection of providers, and individual health circumstances are all important factors to considering when making choices.

**State Contribution to Employee Health Insurance Premium.** In each month in which an employee works at least one day of the calendar month, the State of Texas will make a contribution towards the payment of the employee's health insurance premium. For an employee who selects to cover the employee only and does not purchase coverage for spouse, children or other dependents, the state contribution will totally cover the employee's premium and the employee will not have to pay anything. The state contribution in situations where the employee has purchased insurance for the employee's spouse and/or family members will vary depending on the coverage selected but the state contribution will never cover the entire premium.

In a month where the employee is in a "Leave Without Pay" (LWOP) status for the entire month because the employee has no type of applicable leave accrued to use during the absence, the employee will not receive the state contribution towards the employee's health insurance premium except when the employee's absence is covered by the Family and Medical Leave Act (FMLA). For employees who work less than 12 months, contact Human Resources regarding your insurance coverage during the summer months. Any employee who anticipates a month or more of LWOP for any reason should contact the Benefits Coordinator in the Human Resources office.

### **Family and Medical Leave (FMLA)**

The Family and Medical Leave Act (FMLA) is a federal law that allows an eligible employee up to twelve weeks of paid or unpaid leave (see below) when the leave is



necessary 1) due to the employee's own serious health condition (see section on Leave, below); or 2) for the employee to care for a newborn, newly adopted, or new foster child; or 3) for the employee to care for a spouse, child, or parent with a serious health condition.

When an employee qualifies for and is taking leave under the FMLA, whether or not the employee is using paid leave or is on Leave Without Pay during the absence, the state will continue to make the regular contribution towards the employee's health insurance.

### **Dental Coverage**

An employee may choose to purchase dental coverage. The cost of dental coverage is paid entirely by the employee. Two types of coverage are available: 1) a dental maintenance organization (DMO) that works much like the HMOs described above; or 2) a dental indemnity plan that allows participating employees to use any dentist; however, an employee who uses a dentist who is on the approved list of providers will receive higher level benefits.

## **2. Life Insurance and Accidental Death and Dismemberment Insurance**

Any employee who participates in the state health insurance coverage automatically receives, at no additional premium cost, 1) life insurance in the amount of \$5000 (i.e.—if the employee dies during TSD employment, the person selected by the employee will receive \$5000); and 2) Accidental Death and Dismemberment (AD&D) coverage in the amount of \$5000 (i.e.—if the employee suffer certain accidental injuries or an accidental death, the person selected by the employee will receive \$5000.)

Additionally, an employee may purchase any of the following coverage: 1) term life insurance with AD&D in the amount of one, two, three, or four times the employee's annual salary; 2) AD&D up to \$200,000 for the employee and the employee's family; and 3) Dependent Life Insurance in the amount of \$5,000 for each of the employee's eligible dependents (i.e.—the employee receives \$5000 if one of the employee's dependents dies or receives certain accidental injuries while the employee works at TSD.)



### **3. Long- and Short-Term Disability Insurance**

An employee may purchase long-term and/or short-term disability insurance. After a defined waiting period, long-term and short-term disability income insurance provides a portion of the employee's monthly income if the employee becomes disabled and is unable to work. With long-term disability, the employee may be paid up to age 65; with short-term disability, the employee may be paid up to five months. This coverage is available to the employee only, not to the employee's dependents. An employee who enrolls in long- and/or short-term disability insurance coverage within 30 days of hire is not required to go through the EOI process; after that period, however, the employee may purchase long- and/or short-term disability insurance coverage only during summer enrollment and must go through the EOI process.

### **4. Premium Conversion**

Premium conversion is a program in which the amount of an employee's insurance premium payments are deducted from an employee's gross pay before the amount of federal withholding tax is determined; in other words, the amount of the insurance premium is not subject to federal taxes so an employee will pay less taxes than if the amount of the premium had not been deducted. All insurance premiums except Disability Insurance and Dependent Life are included in the premium conversion program.

### **5. State Kids Insurance Program (SKIP)**

The State Kids Insurance Program (SKIP) provides for the State to pay most of the health insurance premiums for eligible children. An employee is eligible for SKIP if the employee 1) meets certain eligibility criteria according to family income and size; 2) has children eligible for state insurance under the age of 19 living with the employee in Texas; 3) is not eligible for Medicaid; and 4) is a U.S. citizen or legal permanent resident. An eligible employee will pay either \$15 or \$25 per month, depending on the amount of the employee's income, to cover all of the employee's dependent children. An employee may apply for SKIP at any time during the year and must re-apply during Summer Enrollment each year. More information about SKIP is available on the ERS website, [www.ers.state.tx.us](http://www.ers.state.tx.us) and in the new employee information packet.

### **6. Long-Term Care**

A Long-Term Care program is offered to a new employee and the employee's



immediate family, including spouse, adult children, and parents and grandparents of both the employee and employee's spouse. Long-term care refers to the type of health and/or personal care services needed if an individual becomes unable to care for him/herself because of chronic illness, accident, disability, loss of function or mental impairment. Long-term care is not traditional medical care. Long-term care services are designed to help a person maintain his or her ability to function, perform normal daily activities and maintain a normal lifestyle. Long-term care may be provided in the home, an assisted living facility, an adult day care center, and an adult foster care setting. Coverage for caregiver training and emergency alert benefits is also available. A waiting period of 15 days is imposed before long-term care benefits are paid. A new employee and the employee's dependents may apply for long-term care insurance without Evidence of Insurability (EOI) during the employee's first 30 days of employment. In addition, an employee and the employee's family members have the opportunity to apply through EOI during the annual Summer Enrollment process. More information is available in the new employee information packet.

## **7. TexFlex**

TexFlex is a program that allows a participating TSD employee to select an amount of money to be deducted from the employee's paycheck each month and put into either a "health care reimbursement account" (HCRA) and/or a "dependent care reimbursement account" (DCRA). The amount of money is set aside before the employee's taxes are deducted and, therefore, is not subject to any taxes.

The employee may use the money in the account(s) to pay the amount the employee owes for covered medical expenses (HRCA) and child or elder care expenses (DCRA). Because these TexFlex programs are very complicated, it may be difficult for an employee to decide whether to participate and, if so, how much money to deduct from the employee's monthly paycheck to deposit into the account(s). Depending on the amount of an employee's medical and dependent care expenses, an employee may save hundreds of dollars annually with these accounts. An employee who is interested in participating is advised to carefully review the more detailed information in the new employee information packet.



## **8. Deferred Compensation**

TexaSaver is a “deferred compensation” plan administered by CitiStreet, a private company selected by the State of Texas. TexaSaver allows an employee to set aside/“defer” a portion of each month’s paycheck before taxes and invest the money into a wide range of investment choices including a 401(k) or 457 plan. The employee may enroll, make changes and/or cancel or change the deferral amount at any time during the year. In some cases, the employee may be able to take out a loan based on the amount that the employee has contributed to the funds. To get additional information about TexaSaver or to set up a 401(k) or 457 account, an employee may visit the TexaSaver website, [www.texasaver.com](http://www.texasaver.com), or call CitiStreet at (800) 634-5091. TexaSaver is a voluntary plan and is not connected to the ERS Retirement Plan.

## **9. Unemployment Compensation Insurance**

An employee who has been laid off or terminated through no fault of the employee’s may be eligible for unemployment compensation benefits under the Texas Unemployment Compensation Act. An employee is not eligible to collect unemployment benefits during regularly scheduled breaks in the school year (like the Winter Break or Spring Break) or the summer months if the employee has an employment contract (like TSD teachers and other professional educators) or has reasonable assurance of returning to TSD after the break. An employee with questions about unemployment benefits should contact the Texas Workforce Commission.

## **10. Texas Legal Protection Plan (TLPP)**

An employee may purchase ongoing personal legal services from the Texas Legal Protection Plan (TLPP) that include a legal hotline and personal representation by an attorney for many types of legal problems and situations. The employee must enroll in TLPP within 31 days of employment or during the Summer Open Enrollment period.

The employee may pay for these services through a monthly automatic bank draft or by making an annual payment; neither type of payment may be made through payroll deduction. The employee may purchase these services for the employee only or for the employee and family members. TLPP requires no co-payment and the employee is not required to pay a deductible amount prior to receiving the services. Additional information: TSD Benefits Coordinator or TLPP at 327-1372 (Voice) or 306-8624 (TDD).



## B. Retirement

### 1. Employees Retirement System

- **Requirement for Participating in ERS.** All full-time, part-time, substitute, and temporary employees are required to participate in the Employees Retirement System of Texas (ERS). Each month, before taxes are deducted from an employee's paycheck, 6% of an employee's salary is deducted from the employee's pay and deposited in the employee's ERS account; an employee does not pay federal taxes on the portion of the employee's income that is deposited into the ERS account.
- **Eligibility for Retirement Benefits.** If an employee remains employed at TSD or another state agency for five years or more, the employee will be able to retire and receive a monthly annuity (i.e.—a certain amount of money provided to the employee each month after retirement). An employee who has at least five years of service and is age 60 or older may retire and receive a monthly annuity. An employee who has at least ten years of service and is age 65 or older may retire and receive a monthly annuity and health insurance benefits without Evidence of Insurability. An employee whose age (years and months of age) and state service credit (years and month of service credit) equals 80 or more (called the "Rule of 80") is also eligible to retire and receive a monthly annuity and health insurance benefits without Evidence of Insurability. If an employee is receiving a part-time state contribution for health insurance benefits at the time of retirement, the employee will receive the same part-time state contribution after the employee retires.
- **Eligibility for Benefits Without Retirement.** Other benefits of membership include death and survivor benefits and disability retirement benefits for members who become permanently and totally disabled before reaching retirement age, with or without five years of service.
- **Withdrawing ERS Account Deposits Without Retiring.** An employee's ERS account is credited monthly with 5% interest based on the average balance in the account. An employee who does not work for TSD or the State for at least five years may receive a refund of the funds in the employee's ERS account, including the interest accrued, after the employee has permanently terminated employment in any state position required to participate in ERS. After submitting a resignation or terminating TSD employment, an employee may request from the Human



Resources office the form to complete to receive the refund of the funds in the employee's ERS account.

- **Waiting Period Before Joining ERS.** Any employee hired after August 31, 2003 will have a 90-day waiting period prior to joining ERS.

## C. Leave

### 1. Personal Leave for Contract Employees

A TSD employee who is employed under a professional contract may use up to four days of the employee's accrued sick leave, per year, for personal business. The employee cannot take personal leave in increments of less than one-half day. The Superintendent or designee may designate days during the contract term on which contract staff may not take personal leave, except in an emergency situation; the definition of "emergency" shall be communicated to contract staff along with any days on which personal leave may not be taken. The number of sick leave days not used for personal reasons during the contract term may not be carried forward to a subsequent contract term for use as personal leave.

### 2. Sick Leave

An employee who is scheduled to work 40 hours per week accrues eight hours of sick leave each month, or portion of a month, worked. Employees scheduled to work less than 40 hours per week accrue sick leave at a rate proportionate to their work hours; for example, a teacher scheduled to work seven hours per day or 35 hours per week will earn seven hours of sick leave per month; an employee scheduled to work 20 hours per week will earn four hours of sick leave per month. There is no limit to the number of sick leave hours an employee can accrue.



The accrued sick leave of an employee who transfers from one State of Texas agency to another without an interruption in state employment will be transferred to the receiving agency.

An employee may use sick leave for sickness, injury, or pregnancy and confinement which prevents the performance of the employee's duties or to care for a member of the employee's immediate family who is sick.

For the purposes of using sick leave, "immediate family" includes those individuals



who reside in the same household and are related by kinship, adoption or marriage, as well as foster children. Minor children, whether or not living in the same household, will be considered immediate family for purposes of regular sick leave.

An employee who must be absent from work because of illness must notify the employee’s supervisor at the earliest practical time according to department procedures. An employee who must miss more than three continuous workdays must obtain and submit to the employee’s supervisor a doctor’s certification of the illness or a written statement acceptable to the Superintendent showing the nature of the illness. The Superintendent may also require a doctor’s statement for time periods of three days or less.

### 3. Holidays

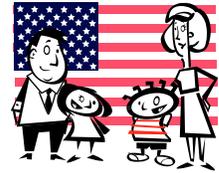
All classified employees receive paid time off from work for national holidays and for the holidays established by the State Legislature as official state holidays. Only those holidays which fall on weekdays are observed. Therefore, the number of state holidays varies each year, depending on how many are authorized by the Legislature and how many occur on weekdays.

<b>HOLIDAY</b>	<b>TYPE</b>
	(N=national, S=state, O=optional)
Labor Day	S
Rosh Hashanah (2 days)	O
Yom Kippur	O
Veterans’ Day	N
Thanksgiving Day	N
Day after Thanksgiving	S
Christmas Eve	S
Christmas Day	N
Day after Christmas	S
New Year’s Day	N
Martin Luther King, Jr.’s Birthday	N
Confederate Heroes Day	S
President’s Day	N
Texas Independence Day	S
Cesar Chavez Day	O
Good Friday	O
San Jacinto Day	S
Memorial Day	N
Emancipation Day	S
Independence Day	N
Lyndon B. Johnson’s Birthday	S

TSD does not observe all national and state holidays when they occur because some of these holidays may be instructional days for students. A full-time classified employee who must work on a national or state holiday will accrue eight hours of



holiday time for use at a later date; an employee scheduled to work less than 40 hours per week will earn holiday time proportionate to the percentage time the employee works; for example, an employee who works 30 hours per week will earn six hours of holiday time for working on a national or state holiday. An employee who is not scheduled to work on a holiday still accrues holiday hours when a holiday occurs.



Holiday time must be used within the 12-month period following the day it was earned and it may not be transferred to another state agency if the employee leaves TSD. The employee is not paid for accrued and unused holiday time when the employee leaves TSD employment. An employee who is in a "leave without pay" status on a holiday does not earn holiday hours.

Because TSD observes a traditional school calendar, the school is closed in conjunction with the winter holidays, spring break, and summer break and possibly for some shorter breaks during the year. An employee may be prohibited from working or required to work during these periods. During such times, an employee who is not working is required to use holiday time, vacation leave, or compensatory time or, if the employee does not have any applicable form of paid leave, must take leave without pay.

#### **4. Sick Leave Pool**

TSD allows an employee to transfer accrued sick leave time to a Sick Leave Pool administered by the Superintendent. Leave in the Sick Leave Pool is provided to an eligible employee when the employee or family member is experiencing a "catastrophic illness" or injury that forces the employee to exhaust all accrued leave time.

An employee may voluntarily donate one or more days of accrued sick leave to the pool per fiscal year at any time, including when the employee leaves TSD employment. To donate sick leave to the pool, an employee may fill out and submit to the Human Resources Office a Sick Leave Pool Donation form (found in the TSD Operating Procedures or obtained from the Human Resources office).

An employee who exhausts sick leave due to catastrophic illness or injury may request to use available sick leave from the pool by submitting a Sick Leave Pool Request form to the Superintendent in accordance with guidelines in the TSD Operating Procedure



“Sick Leave Pool”, available on ELF or from the Human Resources office.

## 5. Vacation (Annual) Leave for Classified Employees

A regular, classified employee earns vacation leave (also called “annual leave”) beginning with the employee’s first day of work. An employee may only begin to use accrued vacation leave after completing six continuous months of state employment with any agency. The completion of six months of continuous employment is a one-time requirement and does not have to be repeated if the employee transfers to a different state agency.



A full-time employee with no prior state service earns eight hours of vacation leave each month. A part-time employee with no prior state service earns an amount of vacation leave proportionate to the number of hours the employee is scheduled to work each week; for example, an employee working 20 hours per week earns four hours of vacation leave each month. The amount of vacation leave an employee earns increases as the employee gains additional state service.

If an employee has not used all vacation leave accrued by August 31 of any year, the employee may carry over a certain amount of the unused vacation leave into the next fiscal year (beginning September 1). The amount of vacation leave that an employee may carry over into the next fiscal year is determined by how much state service an employee has. If an employee has more unused vacation leave than the employee can carry over, the vacation leave that is not carried over converts to sick leave and is added to the employee’s balance of sick leave. Rates of vacation/annual leave and maximum allowable hours that can be carried into a new fiscal year are as follow:

Length of Service	Hours Accrued/Month	Days Accrued/Year	Allowable Carryover Hours to the Next Fiscal Year
Less than 2 years	8	12	180
At least 2 but less than 5 years	9	13.5	244
At least 5 but less than 10 years	10	15	268
At least 10 but less than 15 years	11	16.5	292
At least 15 but less than 20 years	13	19.5	340
At least 20 but less than 25 years	15	22.5	388
At least 25 but less than 30 years	17	25.5	436
At least 30 but less than 35	19	28.5	484
At least 35 years or more	21	31.5	532



Regarding "Length of Service" in the table above, the rate of vacation/annual leave accrual for an employee who retires from state employment after June 1, 2005 and returns to state employment is determined based on the length of service accrued after the date the employee retired.

Except for urgent situations in which an employee must unexpectedly miss work for reasons other than illness, vacation leave must be requested and approved in advance. To ensure adequate coverage of students and the orderly flow of work, each department has its own guidelines for its employees to follow when requesting to use vacation leave. Generally, an employee who has student-related responsibilities is expected to use vacation leave only when school is not in session.

When an employee terminates from TSD, the employee is paid for any unused vacation leave unless 1) the employee does not have six continuous months of state agency employment, in which case the employee is not paid for the unused leave; or 2) the employee requests, and the Superintendent approves, to use all or a portion of the vacation leave at the end of the employment term.

If an employee transfers directly, without a break in service, to or from TSD to another state agency, the employee's unused vacation leave will be transferred with the employee.

## 6. Performance Leave

An employee may be granted administrative performance leave without a deduction in salary as a reward for outstanding performance, as documented by employee performance appraisals, over a brief or long term that contributes in an outstanding and positive manner to the School's work or learning environment. The total amount of administrative leave an employee may be granted may not exceed 32 hours during a fiscal year. Administrative performance leave must be used within one year of its award. An employee must obtain permission from the employee's supervisor before using performance leave except when the employee chooses to use the leave to cover approved sick leave.



## 7. Family and Medical Leave

**Reasons for Taking Family Medical Leave.** The Family and Medical Leave Act



(FMLA) is a federal law that allows eligible TSD employees to take up to 12 weeks of leave from work:

- for the birth and/or care of a child, adopted child, or foster child within 12 months of the birth and/or placement;
- when the employee has a serious health condition\* that makes the employee unable to perform the employee's job functions;
  - and
- when the employee is needed to care for the employees' parent, child, or spouse with a serious health condition\*.



\*A "**serious health condition**" means an illness, injury impairment, or physical or mental condition that involves any of the following:

- overnight care in a medical facility;
- a period of time during which the employee cannot attend work and/or perform work responsibilities for more than three consecutive days and has been treated at least twice by a health care provider or has been treated at least once and is involved in a continuing treatment regimen;
- a period of incapacity due to pregnancy, or for prenatal care;
- a chronic condition that requires periodic visits with a health care provider, continues over an extended period of time, and may cause isolated periods of incapacity rather than continuous incapacity;
- a period of inability to attend work and/or perform work responsibilities that is permanent or long-term due to a condition that may not be treated effectively.
- any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider either for surgery after an accident or other injury, or for a condition that would probably result in a period of time of more than three consecutive days of the employee not being able to attend work and/or perform work responsibilities if the employee's condition was not treated.

#### **Benefits During Family Medical Leave.**

- During Family Medical Leave (FML), the employee continues to receive the same health insurance benefits and coverage the employee received prior to using FML, even if the employee's FML is leave without pay.
- Upon return from FML, an employee who continues to be able to perform the essential functions of the employee's position must be restored to the employee's



original or an equivalent position with equivalent pay, benefits, and other employment terms.

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

It is important for an employee to understand that, when the employee is taking FML, the employee must use all available, applicable paid leave before using leave without pay. An employee receives pay for FML only when the employee is able to cover the absence with accrued leave. When the employee has used all available, applicable leave, the employee will not receive any pay. For example, an employee had accrued 20 hours of vacation leave, 10 hours of sick leave, and 8 hours of holiday leave (a total of 38 hours) prior to taking leave under the FMLA. During the first week the employee was absent, the employee used all 38 hours of accrued leave and had 2 hours of leave without pay. The employee was absent on FML for three more weeks. The employee is only paid for the 38 hours covered by leave. The employee is not paid for the rest of the leave time.

**Employee Eligibility Criteria for Family Medical Leave.** To be eligible to take leave under the FMLA, a TSD employee:

- Must have worked for at least one year for an employer, like TSD, that is responsible for following (i.e., "covered by") the FMLA;
  - an employer is "covered by" the FMLA if the employer employs at least 50 employees within 75 miles of the worksite where the employee needing leave is employed;
  - an employee receives credit towards this one-year requirement for working for the state of Texas in any capacity and the work does not have to be continuous; and
- Must have worked for a "covered" employer for at least 1,250 hours over the previous 12 months;
  - the 1250 hours must be hours actually worked and does not include paid time off.

**Other Important Points Related to the FMLA.**

- The employee may be required to provide notice and documentation of eligibility, including medical documentation, to take leave before the employee is able to take FML. The employee's request to take leave may be denied if these requirements



are not met. The employee ordinarily must provide 30 days advance notice when the leave is “foreseeable.” The employee may be required to provide additional medical documentation upon return to work.

- Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

For additional information, an employee may contact the Human Resources office or read the FMLA posters in the Human Resources office and other locations.

#### **8. Parental Leave**

An employee who is not eligible to take FML but who wishes to take leave in conjunction with childbirth, adoption, or foster care placement is entitled to take up to 12 weeks of parental leave. As with FML, the employee must use all applicable leave during this 12-week period. An employee who is not eligible for FML and who wants to take leave related to childbirth, adoption or foster care placement should contact the Human Resources office as soon as possible.

#### **9. Parent-Teacher Conference Leave**

An employee may use up to eight hours of sick leave each calendar year to attend parent-teacher conference sessions for the employee’s children who are in pre-kindergarten through 12<sup>th</sup> grade. The employee must give reasonable notice of intention to use sick leave to attend such conferences. A part-time employee receives parent-teacher conference leave on a proportional basis.

#### **10. Emergency Leave**

Emergency leave is paid time off without deduction in sick or annual leave. The Superintendent may grant the use of emergency leave if a death occurs in the “family” of the employee or employee’s spouse. Here, “family” includes a spouse, parents, children, brothers, sisters, grandparents and grandchildren. The Superintendent usually grants from one to three days of emergency leave due to a death in the family, depending on the distance to the funeral. The Superintendent may grant emergency leave for longer periods and other reasons for good cause.



## 11. Jury Duty

An employee may serve on a jury without loss of wages and may keep any compensation received for the jury service. The employee must provide documentation verifying jury duty.



## 12. Leave for Volunteer Firefighter Training

An employee who serves as a volunteer firefighter or an emergency medical services volunteer will be granted a paid leave of absence not to exceed five working days each fiscal year for attending training schools conducted by state agencies. This leave of absence may also be granted for the purpose of responding to emergency fire or medical situations.

## 13. Military Leave

**Training.** State employees are eligible for leave to accommodate:

- Authorized training or duty for the state's military forces and members of any reserve branch of the U.S. Armed Forces.
- Activation of the State's National Guard by the Governor.
- National emergency activation for members of a reserve branch of the U.S. Armed Forces.

**Adjusted Work Schedule.** TSD will adjust the work schedule of an employee who is a military member so that two of the employee's days off each month coincide with two days of military duty.

**Authorized Training for Duty.** An employee who is called to active duty or authorized training is entitled to a leave of absence of 15 working days in each federal fiscal year (October 1 – September 30) without loss of pay or benefits. The 15 days need not be consecutive. After exhausting the 15 working days, the employee may use accrued vacation or be placed in a leave without pay status (or combination of the two) for the remainder of the active duty period.

**Call to National Guard Active Duty by the Governor.** A member of the National Guard called to active duty by the Governor because of a state emergency is entitled to receive emergency leave without loss of military or annual leave. This leave is not limited and will be provided with full pay.

**Call to National Duty.** A member of the National Guard or any reserve branch of the U.S. Armed Forces called to federal active duty during a national emergency is entitled



to an unpaid leave of absence after exhausting the 15 days of paid military leave. The employee retains any accrued sick or vacation leave. The employee does not earn sick or annual leave during this period but does accrue state service credit.

**Restoration of Employment.** To be eligible for restoration of employment at the conclusion of military service, the employee must be honorably discharged no later than five years after induction, enlistment, or call to duty. The employee must be physically and mentally qualified to perform the duties of the job. If the employee returning from military service has a disability and cannot perform duties of position held prior to duty, the employee is entitled to like seniority or placement as near as possible to the former position.

#### **14. Other Court Appearances**

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. If an employee appears as a witness in an “official” capacity for the state and/or the school, then it is regarded as a temporary or special assignment and no leave would be charged. Other absences for court appearances related to an employee’s personal business must be taken as personal leave or leave without pay (if no personal leave is available). Employees may be required to submit documentation of their need for leave for court appearances.

#### **15. Leave Related to Transfers from State of Texas Agencies**

When an employee transfers directly to TSD from another state agency, TSD may not give the employee credit for the unused compensatory time accrued at the other agency but will give the employee credit for any unused vacation and sick leave accrued at the other agency if the employee’s state employment from the other agency to TSD is “uninterrupted”.

For an employee who works 12 months per year, employment is considered “uninterrupted” and the employee’s leave will be credited if the employee begins work at TSD or the other agency without a break in service.

For an employee whose work schedule is for less than 12 months per year, employment is considered “uninterrupted” if the effective date of transfer to a different state agency is before the date the employee was scheduled to return to TSD after a non-scheduled work period such as June and July.



If an individual is separated from state employment and is reemployed within 30 calendar days by a state agency to a position that accrues vacation time, the individual's previously accrued but unused vacation leave will be restored. Separation includes, but is not limited to, leaving one state agency to work for another, provided at least one workday passes between those employments.

An employee's accrued sick leave balance will be transferred when an employee moves from employment in one state agency to another, provided the employment is uninterrupted.

In the event that a state or national holiday falls between the dates an employee separates from one state agency and begins employment with TSD without a break in service, TSD is responsible for paying the employee for the holiday, regardless of whether TSD recognizes the holiday.

## **D. 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.

At any time an employee has an accident or is injured at work, the employee must follow all procedures for reporting the accident. See Section V.C.2.

## **E. Miscellaneous Benefits**

### **1. Automotive Repair**

The School's auto mechanics class of the Career Technology





Education department accepts employees' cars for maintenance and repair work on an approval basis. The work is done at cost plus 10% of the cost of the parts used in the repair work. The work is not guaranteed and the school is not liable for damages or loss. The purpose of this program is to benefit the student's education, not to provide a service to employees. The auto mechanics instructor may approve the repair of an employee's car only if the auto mechanics class can benefit from doing to work on the car. Contact the Career Technology Education office for details.

## **2. Professional Library**

The TSD Professional Library is located in the High School/Middle School Library. It contains a collection of sign language, deafness and deaf education-related videotapes and materials. Employees may utilize this professional library subject to the conditions established by the librarian. The Learning Resource Center also has a professional lending library which includes a collection of videotapes related to deafness and deaf education which may be available for employee use.



## V. Campus Safety

### A. General Information

#### 1. Student and Staff Safety

TSD has developed and promotes a comprehensive school safety program to ensure the safety of its employees, students, and visitors. The basic goal of the program is to create and maintain a positive, safe and welcoming school climate in which all members take pride. This climate is free of drugs, gangs, violence, intimidation, fear, and shaming. A healthy, positive school climate promotes the emotional well-being and growth of every student, while providing a safe, secure environment that does not condone violence in any form. 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 school 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 equipment or machines only when authorized and properly trained in advance of operation.



Employees with questions or concerns relating to safety programs and issues may contact the TSD Risk Manager at 462-5390.

## **2. Emergency Situation**

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

## **3. Weather-Related Situations and Emergencies**

TSD may close schools because of bad weather or emergency conditions. If AISD closes when such conditions exist, the Superintendent will make the official decision concerning the closing of TSD. When it becomes necessary to open late or to release students early, the local TV and radio stations will be notified by the Superintendent.

## **4. General Safety Information**

All employees should comply with the following general safety rules that apply to all areas of the school:

- Know emergency exits in the building in which you work.
- Use proper lifting methods and do not lift weights beyond your physical capabilities. Ask for help.
- Maintain all work and living areas in a clean and orderly condition.
- Smoking is prohibited on TSD property or at any school sponsored or sanctioned activities on or off campus.
- Do not use equipment or work with chemicals with which you have not been



trained or which you are not authorized to use.

- Report safety hazards that you notice to your supervisor or the Risk Manager.
- Be careful when walking on wet surfaces or newly waxed floors.
- Do not overload electrical circuits with excessive extension cords.

## B. Student Safety

**Ensuring Student Safety.** All employees and volunteers at the School should strive to ensure the safety and well-being of the students at all times. Keep safety uppermost in your mind in every circumstance by remaining aware of potential hazards and working to prevent problems before they can occur.

**Student Illness and Injury.** Your departmental supervisor will give you information about managing students who are sick or who have been injured. Any employee who is with a student who seems sick or has been injured will generally be responsible for seeing that the student is seen in the Health Center.

**Student Crises and Emergencies.** If you are with a student who has been seriously injured you should call 911 and the Health Center immediately and follow any instructions you are given.

## C. Workers' Compensation

**ABC's of Accident Reporting.** As a state agency, the Texas School for the Deaf participates in the state's Workers Compensation program which is administered through the State Office of Risk Management. TSD follows all rules, regulations, and procedures of the program.

Each employee is provided with information regarding workers' compensation benefits and the effective date of the coverage at New Employee Orientation and may call the Human Resources office for additional information at any time.



In the event of an "On-The-Job" injury, take the following action:

- **Serious Injury.** If you suffer a serious injury needing medical attention you may



immediately contact a physician or go to an emergency room; if you prefer, TSD has arranged with Concentra Medical (the Benefits Coordinator or Health Center can tell you where it is located) for TSD employees to receive immediate medical attention without a wait.

- **Minor Injury.** If you need first aid or other minor medical attention related to an injury, you may go to the Health Center.
- **Reporting your Injury.** As soon as possible, report any injury, whether or not you think you will need to go to a doctor, to your supervisor; after 5:00 p.m., you may report your injury to the Health Center. As soon as possible, you must also report your injury to the HR Benefits Coordinator.
- **Completing Injury Report Form.** As soon as you are able following your injury, whether or not you think you need medical attention, you must complete a report of your accident; you may get the reporting form from your supervisor, the Health Center or the HR Benefits Coordinator.
- **Additional Reporting.** The HR Benefits Coordinator will report your injury to the State Office of Risk Management who will coordinate any other needed actions.

## D. Possession of Firearms and Weapons

Employees, visitors, and students are prohibited from bringing firearms, illegal knives, or other weapons onto school campus 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 School's weapons policy should report it to their supervisors or call Security at ext. 5388 immediately.

## E. Facilities

### 1. Asbestos Management Plan

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



## 2. Pest Control Treatment

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

Notices of planned pest control treatment are mailed to parents at the beginning of each year and included in the Student and Parent School Handbook. In addition, signs are posted on bulletin boards throughout the campus. Information sheets are available from the Maintenance department ext. 5371.

## 3. Building Use

**Use of School Facilities.** All Texas School for the Deaf activities are scheduled in advance on a Master Calendar approved by the Superintendent. The Master Calendar of activities serves to provide school-wide coordination of activities, reserves dates, and assists in avoiding conflicts. Activities reserved on the Master Calendar take priority over non-reserved activities.

Facilities are reserved on the Master Calendar using the Reservation of Facilities for TSD Staff and TSD Organizations form. It is the responsibility of the person submitting the request to check the Master Calendar to ensure the facility being requested is available. The department's Supervisor must approve all requests.

Please refer to the Administrative Procedure "Master Calendar" for additional information.

**Use of School Facilities By Entities Other Than TSD.** Any person, program, activity and/or organization, including non-profit community organizations and governmental agencies, requesting to use TSD facilities, buildings and/or grounds for any purpose other than a TSD school-related function must complete a TSD Request to Use Facility and submit the form to the Facility Planner.

Please refer to the Administrative Procedure: Use of School Facilities By Entities Other Than TSD for additional information.



## VI. Student Issues

### A. Equal Educational Opportunities

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

For information about any of these, contact:

Betty Bounds, Director of Instruction/Assistant Superintendent

Title IX/Section 504/ADA Coordinator

Texas School for the Deaf

1102 South Congress

Austin, TX 78704

### B. Student Records

**Confidential Student Records.** Both federal and state law safeguard student records from unauthorized inspection or use and provide parents and "eligible" students certain rights. For purposes of student records, an "eligible" student is one who is 18 or older OR who is attending an institution of postsecondary education.

**Access to Student Records.** By law, both parents, whether married, separated, or divorced, have access to the records of a student who is under 18 or a dependent for tax purposes. A parent whose rights have been legally terminated will be denied access to the records if the School is given a copy of the court order terminating these rights.

The Superintendent is the custodian of all student records. Records may be reviewed during regular school hours upon completion of the written request form. The records



custodian or designee will respond to reasonable requests for explanation and interpretation of the records. If circumstances prevent a parent or eligible student from inspecting the records, the School will either provide a copy of the requested records, or make other arrangements for the parent or student to review the requested records.

Parents of a minor or of a student who is a dependent for tax purposes, the student (if 18 or older), and school officials with legitimate educational interests are the only persons who have general access to a student's records. School officials with legitimate educational interests include employees, agents, and Governing Board members.

The TSD Student and Parent 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 Principal for assistance.

### **C. Employees and Students' Families**

You and all other employees are very important people in the lives of the students at Texas School for the Deaf. As you work with students, their families will look to you to care for and provide information about their children and will also share with you their concerns, hopes and dreams for their children. All employees are expected to be professional as they interact with the students' families.

When talking with parents, you should be honest, tactful and caring. If you are not able to answer questions, or if you feel that a family needs additional information, you are responsible for guiding them to the appropriate personnel. You may be given additional training in the area of family relations throughout the year. Any specific questions regarding students and their families should be directed to your Department Supervisor, the Social Worker, Counselors, or the Principals.

### **D. Parent and Student Complaints**

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. The Director of Instruction/Assistant Superintendent can provide parents and students information on filing a complaint.



Parents are encouraged to discuss problems or complaints with the teachers or the appropriate Administrator at any time. Parents and students with complaints that cannot be resolved should be directed to the 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. After all administrative complaint procedures are exhausted, parents and students can bring complaints to the Board.

### **E. Administering Medication to Students**

Only licensed nurses and trained, designated employees can administer medication to students. A student who must take prescription 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 Health Center Director for information on procedures that must be followed when administering medication to students.

### **F. Dietary Supplements**

TSD 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 employment 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.

### **G. Psychotropic drugs**

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

- Recommending that a student use a psychotropic drug;
- Suggesting a particular diagnosis; and
- 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.



## H. Student Code of Conduct

The TSD Student Code of Conduct has been adopted by the Texas School for the Deaf Governing Board with the advice of the School's District Advisory Committee. The Student Code of Conduct provides information to parents and students regarding expectations for behavior, consequences of misconduct, and procedures for administering discipline.

In accordance with state law, the Student Code of Conduct will be posted and available for review in the offices of the Director of Instruction/Assistant Superintendent, Director of Student Support Services, Director of Residential Services and Principals and will be posted on the School's internet site: [www.tsd.state.tx.us](http://www.tsd.state.tx.us)

Parents will be notified of any Student Code of Conduct violation that may result in a student being suspended, removed to a DAEP, or expelled from the School.

## I. Student Attendance

**School Attendance Essential.** Regular school attendance is essential for the student to make the most of education; to benefit from teacher-led activities; to build each day's learning on that of the previous days; and to grow as an individual.

**Compulsory Attendance.** The state compulsory attendance law requires that a student between the ages of 6 and 18 must attend school and school-required tutorial sessions unless the student is otherwise legally exempted or excused. School employees must investigate and report violations of the state compulsory attendance law. A student absent from school without permission will be considered in violation of the law and subject to disciplinary action. Nonattendance may also result in assessment of penalties by a court of law against both the student and his or her parents. A complaint against the parent may be filed in the appropriate court if the student is absent from school on ten or more days or parts of days within a six-month period in the same school year, or is absent on three or more days or parts of days within a four-week period.

## J. Hazing

State law prohibits a student from participating in any hazing activities. A student is guilty of hazing when the student takes direct hazing action; encourages or assists



someone else to take action; recklessly permits action; and/or has knowledge of planned action or action that has occurred and has not reported this action in writing to a school official.

# Texas School for the Deaf



## Employee Handbook

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FOR ADDITIONAL INFORMATION CONTACT:  
TSD HUMAN RESOURCES AT 462-5321

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