

**MIDLAND INDEPENDENT SCHOOL DISTRICT
ADMINISTRATIVE REGULATIONS**

D- PERSONNEL

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**EMPLOYMENT OBJECTIVES:
EQUAL EMPLOYMENT OPPORTUNITY
DAA (REGULATION)**

The following steps will be taken to ensure equal opportunity employment:

1. Interviewers and recruiters will be instructed how to conduct interviews without regard to race, creed, color, sex, religion, marital status, national origin, disability, or age.
2. The District's application forms will be reviewed periodically to ensure that all forms are free of requests for information that may constitute unlawful discrimination.
3. Reasonable modifications or adjustments to the job application process will be made to enable a qualified applicant with a disability to be considered for employment.

APPROVED – OCTOBER 2006

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: CREDENTIALS AND RECORDS DBA (REGULATION)

GUIDELINES FOR ACCESS

The District will maintain a personnel file for each employee, and the following guidelines will apply.

An employee or his and her designated representative may inspect the employee's file in accordance with the provisions of DBA(LLEGAL).

Requests for access to, or information from, personnel files will be directed to the Superintendent or designee. Confidentiality considerations pertaining to sensitive information must be observed by the Board and by all supervisors with authorized access to such records. Personnel records may be accessed by:

1. Administrative personnel designated by the Superintendent.
2. Personnel officers.
3. The principal or immediate supervisor.
4. The Board.

EMPLOYEE REQUESTS FOR COPIES

The custodian of records will make a copy of requested documents in an employee's personnel file available within a reasonable time after an employee or designee submits a request, in accordance with District guidelines.

A copy of a personnel file or record will not be mailed unless the employee has made such a request in writing. The request for a copy to be mailed must be approved by the Superintendent, who has the authority to waive the requirement for an in-person request in the event of a hardship or urgent necessity on the part of the employee.

PUBLIC ACCESS

Within 14 days after employment with the District begins or ends, each employee and former employee should complete a form indicating his or her choices regarding public release of personal information that may be requested under the Public Information Act.

RECORDS UPDATE

Each employee will be responsible for keeping personal information accurate and up-to-date and must notify the Human Resource Services of any change of address or credentials.

CREDITABLE YEARS OF SERVICE

Within 45 days after beginning employment with the District, each new employee will be responsible for submitting official documentation of any creditable years of service for purposes of the District determining the appropriate level of compensation.

SUBSEQUENT ACADEMIC WORK

If an employee earns additional college credit hours after a transcript is on file, an official record of the new work must be submitted. A grade report is not acceptable. Each employee will be responsible for providing an official record of additional education. When an official record is received by Human Resource and Payroll Departments additional pay will begin, no retroactive services will be paid.

PERSONNEL RECORDS

Personnel records will be organized as individual employee files, aggregated employee files, and payroll files, as detailed below.

INDIVIDUAL EMPLOYEE FILES

The following information may be included in individual personnel files:

1. Applications
2. Credentials
3. Service records

4. Transcripts
5. Contracts
6. Records of assignment
7. Performance appraisal records
8. Personnel action memoranda and forms
9. Documentation of continuing education or staff development
10. Leaves and absences reports
11. Personal identification and emergency contact information
12. Separation forms
13. Letters of reasonable assurance
14. UIL professional acknowledgement forms
15. Copies of identification documents

Medical information, alcohol and drug test information, and criminal history record information will be maintained in separate, confidential files.

AGGREGATED EMPLOYEE FILES

The following personnel records may be maintained in centralized files:

1. Criminal history record information
2. Form I-9
3. Post-offer employment physicals for bus drivers
4. Alcohol and drug screening test results for bus drivers
5. Waivers to obtain alcohol and drug screening tests from previous employers for bus drivers
6. Benefit enrollment forms
7. References

PAYROLL FILES

The following information may be maintained in payroll files:

1. Withholding forms
2. Copies of Social Security cards
3. Time sheets for nonexempt employees
4. Leave administration information

BUS DRIVER CREDENTIALS

Current alcohol and drug screening test results, as well as such test results from previous employers, will be required. Driving records are also required.

The District will use the "School Bus Driver's Penalty Point System," published by the Texas Department of Public Safety to determine eligibility for employment as a bus driver. Any person who has accumulated 10 or more penalty points will not be considered for employment in a job or position requiring that the person drive a motor vehicle used to transport students or District property.

An employee who accumulates 10 penalty points will be ineligible to drive school vehicles and will be dismissed.

Note: Contact the Department of Public Safety for the appropriate form to use to check a person's driving record or driver's license validity.

APPROVED – MAY 2015

CRIMINAL HISTORY
REVIEW

The District will conduct a criminal history record review for a final candidate for employment and will determine through the individualized assessment procedures described below whether the individual should be excluded from employment. [See DBAA(LOCAL)]

Only District employee(s) authorized to view criminal history records will be involved in conducting an individualized criminal history record review.

NOTICE TO
CANDIDATE FOR
EMPLOYMENT

A candidate for employment who has a criminal history record will be notified that he or she may be excluded from employment due to criminal history. The candidate will be given an opportunity to provide additional information concerning his or her criminal history record to be considered as part of the individualized assessment process.

Additional information may include:

- Documentation showing inaccuracies in the criminal record;
- Any evidence related to the factors for individualized assessment listed at DBAA(LOCAL);
- Evidence that he or she has performed the same type of work, since the incident(s) noted on the criminal history record, with no known incidents of criminal conduct;
- Rehabilitation efforts, including education and training;
- Employment or character references; and
- Whether or not he or she is bonded (if a bond is required for the job position with the District).

If the individual does not provide additional information in a timely manner, the District will proceed with an individualized determination with the information available to the District.

CLAIM OF ERROR IN
RECORDS

A candidate for employment who claims that the reported criminal history record is erroneous may efforts to correct the record.

INDIVIDUALIZED
ASSESSMENT

In conducting the individualized assessment, the District will consider both the factors set out in DBAA(LOCAL) and any additional information provided by the individual. The District may obtain court records, if needed, to validate the information provided.

Using the available information, the District will determine whether or not exclusion from employment is consistent with business necessity.

OFFENSES FOR WHICH EXCLUSION IS LIKELY

A record of certain offenses carries a high likelihood that the District will exclude the individual from employment. Subject to an individualized assessment, the following classes of offense will likely preclude employment with the District:

- Any offense requiring exclusion pursuant to Education Code 22.085.
- Any offense for which employment of the individual places the safety of both students and other employees at risk regardless of the date of the offense, its relation to the employee's job, or the age of the victim. Such offenses include: homicide, murder, capital murder, unlawful transport, false imprisonment, trafficking of persons, improper relationship between educator and student, sexual assault, aggravated sexual assault, rape, child abuse, sale or purchase of a child, arson, robbery, aggravated robbery, prostitution or solicitation of prostitution, child pornography, and sexual solicitation of a child.
- Any offense that, because of the relationship between the offense and the duties and responsibilities of the position in question, creates a risk to the best interests of the District. For example, a person who has committed a property offense will not normally be eligible for a position with financial duties or responsibilities.
- Any felony conviction that occurred within the ten years prior to application for employment with the District.
- Any Class C misdemeanor conviction involving moral turpitude within the ten years prior to application for employment with the District. [For the purposes of this regulation and related procedures, the definition of moral turpitude is found at DH(LOCAL).]

ADJUDICATION OF OFFENSES

In considering the adjudication of the offense, the following standards apply.

CONVICTION

The District will ordinarily treat a conviction as proof of guilt. A conviction record constitutes reliable evidence that a person engaged in the criminal conduct "beyond a reasonable doubt."

ARREST

An arrest record alone does not establish criminal conduct. Before the District makes an employment decision based on an arrest, the District will examine the circumstances surrounding the arrest and will make any necessary inquiries. The District is not required to conduct an extensive investigation to determine the individual's guilt or innocence but need only make inquiries that could shed

light on the likelihood of the individual's guilt in committing the underlying offense.

An arrest will be treated as a conviction when inquiries suggest a high likelihood that the individual committed the underlying offense. Where such a determination is not found, the arrest will not be used to take an adverse employment action against the individual.

DEFERRED
ADJUDICATION

A grant of deferred adjudication resulting from a no contest or guilty plea will ordinarily be treated as an admission of guilt. However, the District will make inquiries similar to the inquiries made when an arrest is reported.

When such inquiries suggest a high likelihood that the individual committed the underlying offense, deferred adjudication will be treated as a conviction. Where such a determination is not found, deferred adjudication will not be used to take an adverse employment action against the individual.

NOT GUILTY,
WITHDRAWN, OR
DISMISSED
CHARGES

For a not guilty, withdrawn, or dismissed adjudication, the individual maybe asked to explain the circumstances and may provide a certified copy of the court paperwork showing the final disposition of every charge. The District may make additional inquiries into the surrounding circumstances.

The charges will be treated as a conviction when such inquiries suggest a high likelihood that the individual committed the underlying offense. Where such a determination is not found, the criminal history in question will not be used to take an adverse employment action against the individual.

TYPES OF
CONVICTIONS

If the criminal history record shows a conviction, or if inquiries made during the record review indicate a high likelihood of guilt and/or recurrence, then the following employment restrictions will apply.

FELONY

For a felony offense committed within the ten years before application for employment, see OFFENSES FOR WHICH EXCLUSION IS LIKELY, above.

If the individual committed a felony offense more than ten years before application for employment, the District will determine whether the conviction was for an offense that generally requires exclusion by law or by policy or, if not, whether the underlying offense relates to the duties and responsibilities of the desired position.

The following guidelines will apply:

- If the offense does not relate to the duties and responsibilities of the position, and was not for an offense that would otherwise preclude employment, the individual may be considered for employment or continued employment.
- If the offense does relate to the duties and responsibilities of the position, the District will consider the likelihood of recurrence of the criminal behavior. A determination that the behavior is unlikely to recur will result in the individual being eligible for employment; a finding to the contrary will result in the individual being ineligible for employment.

CLASS A AND B
MISDEMEANORS

An individual may be eligible for employment if the conviction for a Class A or Class B misdemeanor is not related to the duties and responsibilities of the position and/or has occurred more than five years prior.

If the conviction occurred in the past five years and does relate to the duties and responsibilities of the position, the employee is ineligible for employment in the District if it is determined there is a high degree of likelihood for the recurrence of the behavior.

CLASS C
MISDEMEANORS

For a Class C misdemeanor offense involving moral turpitude committed within the ten years before application for employment, as applicable, see OFFENSES FOR WHICH EXCLUSION IS LIKELY, above.

If convicted of a Class C misdemeanor that does not involve moral turpitude or that occurred more than ten years prior, the District will determine whether the underlying offense relates to the duties and responsibilities of the desired position.

The following guidelines will apply:

- If the offense does not relate to the duties and responsibilities of the position, and was not for an offense that would otherwise preclude employment, the individual may be considered for employment.
- If the offense does relate to the duties and responsibilities of the position, the District will consider the likelihood of recurrence of the criminal behavior. A determination that the behavior is unlikely to recur will result in the individual being eligible for employment; a finding to the contrary will result in the individual being ineligible for employment.

MULTIPLE
OFFENSES

An individual with multiple offenses that individually do not make him or her ineligible for employment may be deemed ineligible for continued employment when repetitious criminal behavior indicates a high degree of likelihood for recurrence of the behavior.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CRIMINAL HISTORY AND CREDIT REPORTS

DBAA
(REGULATION)

UNLISTED
CRIMINAL HISTORY

If a criminal history record does not list an event reported by the candidate for employment, he or she will be asked to explain the circumstances for each reported incident. A certified copy of pertinent court paperwork showing final disposition of the charge may be included. The District may make additional inquiries.

APPROVED – MAY 2015

EMPLOYMENT PRACTICES DC (REGULATION)

VACANCY NOTICES

Notice of a vacancy may contain:

1. A description of the job functions.
2. Criteria or credentials essential for qualification.
3. A list of dates for filing the application.
4. The name of the person to contact for information and interview.

Job vacancies must be posted for a minimum of 10 work days. Posting will be on the District's website. Posting and further recruitment will not be required in cases where the Superintendent or designee recommends filling a position by promoting a District employee to current district position.

RECRUITMENT

Vacancies will be open to all applicants, including employees in the District. District employees who apply and are eligible for a position will be considered with other applicants.

Applications will be directed to the Office of Human Resource Services as described in the vacancy posting. Reasonable accommodations will be made for qualified persons with disabilities to ensure equal opportunity in the application process. Applications must not be made directly to the Board.

PROCESS FOR EMPLOYMENT OF CONTRACTUAL PERSONNEL

The employment process for professional, contractual personnel will be as follows:

1. Professionals seeking employment will file completed applications as specified by the District and submit complete college and certification credentials.
2. After the screening process, principals will invite selected applicants for an interview.

3. Prior to the Superintendent making a recommendation to the Board for employment, a thorough investigation will be made of the applicant's education, experience, and other qualifications related to the position. Such investigation will include obtaining information from school and college officials, former employers, and/or placement offices, and making inquiries concerning competence, general character, and citizenship.

PROCESS FOR EMPLOYMENT OF NONCONTRACTUAL PERSONNEL

When a job vacancy occurs for a noncontractual staff position, current applications on file will be considered and screened for the best-qualified applicants.

Applications will be maintained in the office of the Human Resource Services. Interviews of applicants will be conducted by the appropriate campus or department hiring official.

Consideration will be given to each applicant based on the ability to perform job duties, attendance record, dependability, past evaluations, experience, and other criteria that may be required. The hiring official will recommend the chosen applicant to the Superintendent or designee for approval or for recommendation to the Board, in accordance with DC (LOCAL).

CRIMINAL HISTORY RECORDS

To obtain the criminal history records of applicants, the following procedures will apply:

1. Applicants will be notified by means of an addendum to the application that the District is authorized to obtain a criminal history record on applicants it intends to employ.
2. Once the application and addendum are completed, the criminal history record information addendum will be detached and kept in a place separate from the application.

ADDITIONAL REQUIREMENTS FOR BUS DRIVERS

Each person who applies to be a bus driver will additionally be required to:

1. Sign a notice giving the District permission to obtain alcohol and drug testing results from previous employers for two years prior to the date of application.
2. Undergo preemployment drug testing, in accordance with federal regulations and District policy.

NOTE: Contact Human Resource Services for appropriate forms (i.e.: Personnel Recommendation form, Separation packet, substitute application, auxiliary application, etc.). The online teacher application may be accessed at www.midlandisd.net.

APPROVED – MAY 2015

**COMPENSATION AND BENEFITS:
SALARIES, WAGES, AND STIPENDS
DEA (REGULATION)**

RECORDS

The District will maintain weekly time records on all nonexempt employees. Records will indicate all hours worked, including compensatory time earned and used. Weekly time records must be verified by the supervisor and the employee and submitted to the payroll office on designated dates. All payroll records, including time records, will be maintained for a period of three years and will be made available for inspection by government authorities upon request.

OVERTIME

Nonexempt employees will receive compensation, either monetarily or in time, for all hours actually worked in excess of 40 hours per week. Prior to working overtime, employees will be informed whether the overtime is to be compensated monetarily or in time. Hours of sick leave, personal leave, or vacation time will not be considered time worked. Hours in excess of eight per day will not be considered overtime unless the total exceeds 40 hours actually worked within the particular week.

All overtime worked must be approved by the employee's supervisor in advance. Supervisors are responsible for preventing unauthorized overtime. Employees who work unauthorized overtime may be subject to disciplinary action.

Overtime will be calculated by multiplying hours worked in excess of 40 by one and one-half times the regular hourly rate of pay. If a nonexempt employee has more than one nonexempt job in the District, hours will be combined for calculating overtime; if the level of compensation differs, a blended rate calculation will be utilized to determine the combined hourly rate of the two positions.

COMPENSATORY TIME

Overtime may be reconciled as compensatory time off at the same time-and-a-half rate, and may be accrued as compensatory time to a maximum number of hours established in policy DEA (LOCAL).

SUPPLEMENTAL DUTY PAY

Nonexempt employees who are assigned supplemental duties will be paid on an hourly basis, including overtime compensation when hours exceed 40 in a workweek. The hours worked in supplemental duties will be combined with the hours worked in the regular job assignment for determining the total hours worked each week.

JOB RECLASSIFICATION

All positions shall be assigned to job grades based on the skill, effort, and responsibility required for the job assignment. The Superintendent or designee shall determine job classifications or reclassifications for positions based on an assessment of job requirements and comparability to other positions in the District. A change in placement of a job is not a promotion or demotion. A classification change signifies a modification in job duties or qualifications.

A job reclassification that is not initiated by the Superintendent or designee shall be conducted as follows:

1. An employee may request a job grade/salary review by notifying his/her supervisor no later than October 1. After consideration of the employee's request, the immediate supervisor may initiate the process by submitting a Request for Job Classification Review Form to the Executive Director of Human Resources. The form is located in the Human Resources webpage under forms.
2. The Human Resources committee will review the request, with accompanying documentation, and rate the job using the TASB Job Analysis Rating Form. The appropriate supervisor may be invited to the meeting or asked to provide additional information regarding the duties and responsibilities of the job. The process will be completed no later than March 1.
3. If the Human Resource committee approves the request, they will submit the request to the Salary Review Group, appointed by the Superintendent for validation.
4. The Human Resources committee will approve or deny the request based on the Job Analysis Rating Form and will notify the supervisor. Approved job grade/salary changes will be incorporated into the budget and will take effect with the first payday of the following fiscal year.

GENERAL PAY INCREASES

Employee salaries and wages will be reviewed annually for adjustment. General pay increases are given to employees to reward continued service to the district.

General pay increases will be calculated for each employee by applying a percent increase approved by the board to the midpoint of each employee's pay range. All employees who are in the same pay range will receive the same pay increase unless specifically approved otherwise.

PROMOTIONS

A promotion occurs when an employee is assigned to a different job in a higher pay range. Pay adjustments for promotions will begin with the effective date of the new assignment. For promotions that take effect at the beginning of a school year, the standard promotion increase includes any general increase granted by the school board and the applicable pay grade increase. If an employee moves to a different job in a different pay structure (example: from auxiliary to professional group), the pay adjustment will be treated as a placement of a new employee.

APPROVED – AUGUST 2017

**COMPENSATION AND BENEFITS:
LEAVES AND ABSENCES
DEC (REGULATION)**

The following guidelines will apply when employees are absent from duty:

1. A request for discretionary leave must be submitted to the principal or immediate supervisor at least 2 days before the anticipated absence.
2. The principal or immediate supervisor may not seek or consider the reasons for which an employee requests discretionary leave. However, the principal or immediate supervisor should consider the following factors:
 - The necessity and/or availability of substitutes.
 - The number of other employees already scheduled to be absent at the same time.
 - The effect of the employee's absence on the overall educational program or District operations, including whether the leave is requested for a key date. Key dates may include the workday preceding the first instructional day of the semester, the first and last instructional day of a semester, the last workday of a semester, the day before a holiday, days scheduled for major exams or statewide assessments, professional/staff development days; or teacher workdays.
3. For nondiscretionary absences, an employee must notify automated system and/or the principal or immediate supervisor by on the day of absence so arrangements can be made for a substitute.
4. An absence from duty report must be submitted to the principal or immediate supervisor immediately upon returning to duty.
5. Available leave benefits will be reported to each employee on each payroll check.
6. A new employee will not be eligible for sick or personal leave until he/she has completed at least one whole workday in the District.
7. A record of leaves and absences will be kept in the payroll office.

8. The District will designate an employee's absence as family and medical leave as soon as possible after determining that the absence qualifies as family and medical leave. [See DEC(LOCAL)] .
9. State/Local Leave – Each employee shall earn state personal leave at the rate of one-half workday for each 18 workdays of employment, up to the statutory maximum of five workdays annually.
 - a. 217 day and above employees will be calculated based on an accrual formula.

APPROVED – MAY 2015

**COMPENSATION AND BENEFITS:
VACATIONS AND HOLIDAYS
DED (REGULATION)**

VACATION REGULATIONS

Paid vacation time is accumulated by all employees in positions normally requiring 12 months of duty per year according to District policy and/or contract provisions.

The following regulations govern the use of accumulated vacation:

1. Generally vacation days are earned July 1 to June 30 and will be prorated for employees hired later than July 1.
2. All earned vacation days should be taken in the year earned. Unused vacation days may be carried over to the next fiscal year only.
3. Vacation days may not be taken during the first six months of employment with the District.
4. All vacation schedules must receive prior approval and be placed on the calendar to ensure adequate available staff at all times to operate the District.
5. A formal request must be submitted to the employee's supervisor.
6. In no case will vacation time be approved in excess of the number of days accumulated to date.
7. Vacation days may not be worked for additional pay unless expressly authorized by the Superintendent.
8. Unused vacation days will not be paid upon termination.

APPROVED – May 2018

**COMPENSATION AND BENEFITS:
EXPENSE REIMBURSEMENT
DEE (REGULATION)**

TRAVEL AUTHORIZATION AND PLANNING

Each District employee who is authorized to travel assumes, with the acceptance of that authorization, a responsibility to limit travel expense claims to those actually incurred on travel that is clearly for the purpose of discharging essential official business of the District. Travel planning should take into consideration the most economical means of accomplishing the authorized task.

Administrators who are responsible for making travel assignments and for approving travel plans have the additional responsibility of limiting travel plans to those trips that are clearly in accordance with Board policy, the District improvement plan, or official Board action.

TRAVEL EXPENSE REIMBURSEMENT

Travel expense procedures may be accessed on the MISD Business Office web-site.

Please see the Business Office Website for additional Information.

APPROVED – MAY 2015

REASSIGNMENTS DFBC (REGULATION)

Human Resources Services in conjunction with the Teaching and Learning department shall be responsible for determining the individuals who will be reassigned. In this instance, teachers, librarians, counselors, instructional coaches and paraprofessionals will be placed according to district need as determined by the executive team.

CRITERIA

The criteria that are to be utilized at the campus level are listed in order in which decisions are to be made for identifying individuals to be transferred as a result of decreased enrollment or changing staffing allocations:

1. Volunteers at the campus
2. Seniority at campus for the department, grade level/subject area impacted
3. Seniority in employment with MISD

Programmatic needs may supersede the above-listed criteria with approval from the Superintendent or designee.

The criteria that are to be utilized at the district level are listed in order in which decisions are to be made for identifying individuals to be transferred as a result of changing staffing allocations:

1. Volunteers from instructional departments
2. Seniority in instructional department and position
3. Seniority in employment with MISD

Programmatic needs may supersede the above-listed criteria with approval from the Superintendent or designee.

Any employee on a formal support plan or a Teacher In Need of Assistance (TINA) cannot be declared surplus without approval from the Superintendent or designee.

Employees who were declared “surplus” for the previous school year, will not be declared “surplus” for the current school year.

APPROVED – APRIL 2016

While the District does not discourage personal participation in the political process, please remember that any engagement or participation in political activities must be done on your own time and in an individual capacity. Please be certain not to represent yourself as speaking on behalf of the District.

In addition, Texas law prohibits the use of District funds and resources to campaign or advocate for or against any candidate or measure. District resources include, but are not limited to, the District's technology resources, telephones, and copy and fax machines. District facilities will not be used by anyone to publish or circulate any type of political advertising, except as allowed by law or Board policy.

The following guidelines are provided to encourage all employees to operate with respect to each other and the political process:

- Teachers will not use their classroom or instructional time to advocate for or against any particular candidate or measure.
- Unless specifically authorized by the District, employees will not use District time or resources to communicate with legislators or legislative staff to advocate or provide information on legislative issues.
- Employees will not wear any clothing, badges, buttons, or symbols that advocate any candidate or measure during hours of employment or during any time while performing acts within the scope of employment.
- Political advertisements of any type will not be placed in teacher mailboxes or posted in teacher workrooms, teacher lounges, or on classroom websites.
- Political signs, including, but not limited to, yard signs, bumper stickers, and flyers will not be brought on District property for distribution, except as allowed by law when District property is being used as a polling place and on the employee's own time.
- District employees and staff members are permitted to have election bumper stickers on their vehicles while parked on school property; however, the addition of signs or writing on the vehicle is prohibited.

APPROVED – MAY 2015

**EMPLOYEE RIGHTS AND PRIVILEGES:
PERSONNEL-MANAGEMENT RELATIONS
DGB (REGULATION)**

RELATIONS WITH EMPLOYEE ORGANIZATIONS

Treatment of employee organizations will be consistent and without favoritism shown toward any organization, in accordance with the following procedures:

1. Employee membership in any organization will be a matter of free choice.
2. The central and campus school administration position regarding such organizations will be neutral and will neither encourage nor discourage membership in any employee organization.
3. Faculty meetings called and conducted by the principal will be for school-related matters. An employee organization matter will not be part of the agenda.
4. Organization meetings of campus members may be held in school facilities before or after school hours, in accordance with DGB(LOCAL) and GKD(LOCAL).
5. Group meetings or individual conferences conducted by elected officers, professional staff, or appointed officials of any employee organization for purposes of membership recruitment will not be permitted on school premises during work hours. School facilities may be used for such purposes before or after work hours, in accordance with DGB(LOCAL) and GKD(LOCAL). This provision applies to staff development days as well as to regular school days. Employees may participate in educational programs of employee organizations during work hours only with the prior approval of the Superintendent or designee. [See DMD]
6. The principal of each school may designate one bulletin board in the school for use by employee organizations. All materials must be submitted to the principal's office for dating and posting and will remain posted for a reasonable time.

APPROVED – MAY 2015

ASSIGNMENT AND SCHEDULES DK (REGULATION)

HOURS OF DUTY

District employees will work according to the schedules established by the Superintendent or designee.

The Superintendent has established a Standardized Schedule for Exempt Employees working at a school campus.

Standard Duty Schedule for Exempt Campus Employees

Elementary: 7:30 AM to 4:00 PM

Secondary: 8:00 AM to 4:30 PM

Teachers are exempt employees and other duties may be assigned outside of these 8 hours. Variations to the Standard Duty Schedule must be documented by the principal and made available for review. PTA meetings, parent-teacher meetings, faculty and staff meetings, student activities and supervision, required professional development, and other meetings or conferences as assigned may be required in addition to the standard duty schedule.

EMPLOYEE REQUEST FOR REASSIGNMENT/PROMOTION

SUPPORT STAFF

To request reassignment or promotion, a paraprofessional employee must express interest of possible transfer in writing to their current supervisor. Upon agreement from the current supervisor, the paraprofessional may submit an application for consideration on the position. Reassignments are not automatic and must be approved by the supervisors in each affected area before they can occur. Interdepartmental transfers will be handled by the receiving department with approval of the Human Resources Services and the department/campus administrators, if applicable.

Paraprofessional employees must remain in a position for a minimum of six months before an employee-initiated request for reassignment or promotion will be considered.

PROFESSIONAL

Reassignment/transfer requests from professional personnel will be governed by procedures established and distributed by Human Resource Services no later than March 15 of each year.

DISTRICT-INITIATED REASSIGNMENT

At any time during the school year, an immediate supervisor may request the reassignment of an employee.

The Superintendent may reassign any employee at any time when it is in the best interest of the District.

APPROVED – ~~MAY 2015~~, Revised - MAY 2021

WORK LOAD DL (REGULATION)

DUTY ASSIGNMENTS

Principals may assign duties to employees in addition to those specified in job descriptions. Such duties may include the following:

1. Lunch period duty in accordance with law.
2. Hall duty.
3. Classroom housekeeping duties such as turning out lights, closing windows, locking doors, maintaining neat and attractive classrooms, and the like.
4. Duty at extracurricular activities.
5. Bus loading duty.
6. Parking lot duty.
7. Any extra duty assigned by the principal.

Each principal will prepare a schedule of these duty assignments. A copy of the schedule will be available, and orientation will be provided for such duty assignments.

SPONSORS

Teachers may be called upon to sponsor various organizations and class groups. Sponsors will:

1. Supervise projects and activities selected by organizations and class groups.
2. Counsel and advise students in elections, and in the selection of projects and activities.
3. Establish proper and adequate procedures for the collection and accounting of funds derived from fund-raising projects.

4. Keep the principal informed of projects and activity dates and have these posted on the school activity calendar.
5. Ensure that all projects and activities of classes and organizations are approved by the administration.
6. Schedule projects and organizational work so that class time is not used for that purpose.

Teachers are urged to attend and participate in as many extracurricular activities as time and convenience permit.

ITEMS REQUIRED TO BE FILED

At the end of each school term or at the time of a teacher's termination or resignation, the following items must be filed with the principal:

1. Lesson plan book.
2. A copy of the Final exam.
3. Teacher editions of textbooks.
4. Textbook records.
5. Keys and electronic access cards to buildings, file cabinets, desk, and the like.
6. All assigned portable electronics.
7. Any other required District property, forms or reports.

APPROVED – MAY 2015

**WORK LOAD:
STAFF MEETINGS
DLA (REGULATION)**

FACULTY MEETINGS

Faculty meetings are scheduled by the principal. Faculty members are required to be present at such meetings unless prior arrangements have been made with the principal.

APPROVED – OCTOBER 2006

PERFORMANCE APPRAISAL DN (REGULATION)

EVALUATION OF NONCONTRACTUAL PERSONNEL

Evaluation of noncontractual personnel is a continuous process based on approved performance criteria and instruments used for objectively gathering, analyzing, and interpreting evidence regarding the strengths and limitations demonstrated by employees in their assigned positions.

PROCESS

The District's evaluation program for noncontractual employees will be administered in accordance with the following provisions:

1. The evaluation will be based on observed job-related performance.
2. The employee will be evaluated by the immediate supervisor.

Noncontractual employees will be evaluated at least once annually; however, evaluations may be made as frequently as the supervisor deems necessary. Documentation of each evaluation must be in writing, indicating specific characteristics of the employee's performance.

When a noncontractual employee is evaluated, the supervisor must conduct a conference with the employee. Written records of the evaluation will be available for discussion during the conference.

RECORDS

All evaluation documents must be signed by both the employee and the supervisor. The signature of the employee does not signify that the employee agrees with the supervisor but acknowledges that the conference has been held and discussed. The employee may attach a written statement to the forms if desired.

A copy of each written evaluation must be given to the employee, a copy may be kept by the immediate supervisor, and a copy will be maintained in the employee's records in the human resources department.

APPROVED – MAY 2015

PERFORMANCE APPRAISAL EVALUATION OF TEACHERS DNA (REGULATION)

TEACHER APPRAISAL SYSTEM

T-TESS is a process that seeks to develop habits of continuous improvement with evidence-based feedback and professional development decisions based on that feedback through ongoing dialogue and collaboration.

Components of the appraisal process, such as classroom observations and walk-throughs, will be conducted as frequently as necessary to ensure that teachers receive appropriate guidance.

SELF-ASSESSMENT AND GOAL SETTING

The teacher self-assessment, goal-setting, and professional development processes are all interwoven and applied throughout the school year to positively impact each teacher's professional practices and ultimately increase student performance.

Each teacher will review data and reflect on his or her professional practice, including reviewing the domains, dimensions, and descriptors of the T-TESS rubric. A teacher who is new to the District or who is in the first year of the appraisal process will receive an orientation and will be guided through the self-assessment and goal-setting process to establish a professional development plan. Within six weeks of completing the orientation, a teacher who is new to the District or who is in the first year of the appraisal process will formulate targeted goals on the Teacher Self-Assessment and Goal Setting Form and schedule an in-person, goal-setting conference with his or her appraiser. After the conference, the teacher will submit his or her approved Goal-Setting and Professional Development Plan to the appraiser.

A returning teacher will review the goal(s) and professional development plan established at the end-of-the year conference and student performance data to determine if changes are needed. The teacher will submit to the appraiser his or her approved Goal-Setting and Professional Development Plan within the first six weeks of the school year.

IMPLEMENTATION OF GOALS

Each teacher will regularly monitor progress toward his or her goals. If the teacher feels the goals need to be modified, the teacher should make an appointment with his or her appraiser to discuss individual progress toward his or her goals and/or obtain additional supports.

PRE-CONFERENCE

The purpose of a pre-conference is for the appraiser and teacher to mutually discuss the upcoming formative observation with a focus on the interrelationships between planning, instruction, the learning environment, and student outcomes. The pre-conference will be conducted within seven school days (example: ten working days) of an announced observation.

The pre-conference will provide the teacher an opportunity to demonstrate his or her knowledge and skills for the planning domain and its correlating dimensions. The conference is primarily focused on the upcoming observation and what the teacher has planned to ensure that the instructional objective(s) are met.

FORMAL OBSERVATION

The teacher will be formally observed in the classroom one time, unless the appraiser deems additional observations to be necessary. A classroom observation will be an instructional period or a complete lesson within an instructional period that consists of a minimum of 45 minutes of instruction.

By mutual, written consent between the appraiser and the teacher, the required minimum of 45 minutes of observation may be conducted in shorter time segments. The time segments must aggregate to at least 45 minutes.

Each teacher may have additional observations or walk-throughs that provide actionable, timely feedback, which will allow the teacher to make efficient and contextual professional development choices to help refine practice. If data gathered during the additional observation or walk-through will impact the teacher's summative appraisal rating, a written summary will be shared with the teacher within ten working days after the completion of the additional observation or walk-through.

NOTICE

The formal observation for a teacher's appraisal will be announced seven school days prior to the observation date.

The District will establish an appraisal calendar each year, and provide the calendar to teachers within the first three weeks of the school year.

POST-CONFERENCE

All observations will include an in-person post-conference within ten working days of the observation.

The overall purpose of the post-conference is to provide a teacher an opportunity to self-reflect on the execution of his or her lesson, including the impact on student performance. The results will be used to inform and guide the teacher regarding future practices and growth.

END-OF-YEAR CONFERENCE

The end-of-year conference will be held at least 15 days prior to the last day of instruction to discuss overall performance for the year. End-of-year conferences are mandatory.

Each teacher will provide his or her appraiser with an update regarding the professional goals and development plan that were developed at the beginning of the year.

PRELIMINARY GOAL SETTING AND PLANNING FOR THE FOLLOWING SCHOOL YEAR

Following the end-of-year conference, the appraiser and teacher will discuss how the current year self-assessment and goal-setting process will continue into the next school year for continuous improvement, including professional development to support learning.

SUMMATIVE ANNUAL APPRAISAL REPORT

A written summative annual appraisal report will be provided to the teacher within ten working days of the conclusion of the end-of-year conference. The report will be shared with the teacher no later than 15 working days before the last day of instruction for students. The written summative annual appraisal report will be placed in the teacher's personnel file by the end of the appraisal period. Score will be reported out by domain and dimension.

APPRAISER

Each teacher will be appraised by a certified appraiser. If the certified appraiser is not the teacher's supervisor, the appraiser will be selected from the list of certified appraisers approved by the Board.

SECOND APPRAISER

A teacher may request a second appraiser within ten working days of receiving a written observation summary or a written summative annual appraisal report. If a teacher requests a second appraisal by another certified District appraiser, the second appraiser will be determined by Human Resources.

TEACHER RESPONSE AND REBUTTAL

A teacher may submit a written response or rebuttal within ten working days of receiving a written observation summary, a written summative annual appraisal report, or any other written documentation associated with the teacher's appraisal.

LESS-THAN-ANNUAL APPRAISALS

In accordance with DNA(LOCAL), certain teachers are eligible for less-than-annual appraisals.

In addition to meeting the eligibility requirements in state rules, to be eligible for less-than-annual evaluations under the T-TESS, a teacher shall:

1. Be employed on an educator term contract;
2. Hold SBEC certification or a school district teaching permit issued by the District; and
3. Have been employed by the District for at least two years.

Eligible teachers shall be appraised every two years. During any school year when a complete appraisal is not scheduled for an eligible teacher, either the teacher or the principal may require that an appraisal be conducted by providing written notice to the other party. A teacher's supervisor shall have the authority to return a teacher to the traditional appraisal cycle as a result of performance deficiencies documented in accordance with state rule. In the years in which a T-TESS appraisal is not scheduled for an eligible teacher, the teacher shall participate in an annual review process that includes the elements listed in state rule. The annual review process shall produce a written document to be presented to the teacher, signed by the teacher and supervisor, and maintained in the personnel file.

GRIEVANCES

Complaints regarding a teacher appraisal should be addressed in accordance with DGBA(LOCAL).

APPROVED – AUGUST 2017

**PERFORMANCE APPRAISAL
EVALUATION OF CAMPUS ADMINISTRATORS
DNB (REGULATION)**

APPRAISAL SYSTEM —PRINCIPALS

T-PESS will be used to annually assess each principal's performance in relation to the Texas Principal Standards, which will personify continuous growth and improvement, guide self-reflection, inform professional development, and improve leadership quality.

ORIENTATION

When a principal is new to the District, a principal has never been appraised under the T-PESS, or District policy regarding principal appraisal has changed since a principal's last orientation, the principal will receive orientation regarding the T-PESS either prior to or in conjunction with the pre-evaluation conference.

SELF-ASSESSMENT AND GOAL SETTING

The principal self-assessment and goal-setting processes are interwoven and applied throughout the school year to positively impact each principal's professional practices and ultimately increase academic growth. The self-assessment provides the basis for establishing professional growth goals. The principal will set manageable, meaningful, and measurable performance goals that typically focus on the campus improvement plan, a District strategic priority, or efforts to improve a specific leadership practice or competency. In establishing goals, returning principals will review the goals and professional development plan established at the previous year's end-of-year conference.

Evidence and documentation gathered by the principal should provide a basis for self-assessment, goal setting, professional development planning, and demonstration of performance on specific standards.

An appraisal calendar will be given to the principal prior to the pre-evaluation conference.

PRE-EVALUATION CONFERENCE

Each principal will submit his or her proposed goals to the principal's appraiser prior to the pre-evaluation conference.

The pre-evaluation conference will include a discussion regarding performance improvement, leadership effectiveness, and strategies to improve school productivity and student outcomes.

The pre-evaluation conference provides the opportunity for the appraiser and the principal to discuss critical topics including the principal's completed self-assessment and one to three goals aligned to the campus improvement plan and District priorities. The principal and the appraiser will agree on the data, evidence, and

documentation applicable to the principal's goals. Data collection will happen throughout the evaluation cycle.

Following the pre-evaluation conference, the principal will submit final goals to the appraiser.

MIDYEAR CONFERENCE

The midyear evaluation meeting will help the principal determine and discuss progress toward the attainment of his or her goals. At the meeting, evidence will be reviewed that is related directly to the goals. If applicable, discussion and identification of additional supports will be discussed. Adjustments to the goal-setting form will be made if data, artifacts, and other evidence suggest that adjustments need to be made.

The meeting will include a review of the principal evaluation rubric and completion of the midyear progress form. The principal will be able to attach comments to the midyear progress form.

END-OF-YEAR PERFORMANCE CONFERENCE

Prior to the end-of-year performance conference, the principal will provide to his or her appraiser a consolidated performance assessment, consisting of a brief summary of artifacts and data related to the indicators and attainment of goals.

The end-of-year performance conference will include review of the self-assessment; the consolidated performance assessment; the appraiser's summary ratings; and, if applicable, student growth or progress measures.

Potential goals and professional development activities for the following year will be identified.

If time permits and the appraiser and principal agree on the final performance ratings and attainment of goals, then, the final evaluation and goal setting may be completed at the end-of-year performance conference. If final ratings and goal attainment are not completed, the appraiser will schedule a final evaluation and goal-setting meeting for a later date.

FINAL EVALUATION GOAL SETTING

At the final evaluation and goal-setting meeting, the principal and appraiser will review and discuss any additional information that may be relevant to fairly and accurately assign final performance ratings, draft performance goals, and discuss recommendations and support for performance improvement for the subsequent year based on the current-year results.

The appraiser and principal will sign and submit all required forms.

APPRAISAL SYSTEM —OTHER CAMPUS ADMINISTRATORS

MISD will use a locally created appraisal system to evaluate other campus administrators.

GRIEVANCES

Complaints regarding principal appraisal or the appraisal of another campus administrator will be addressed in accordance with DGBA(LOCAL).

APPROVED – AUGUST 2017

**PERSONNEL POSITIONS:
SUBSTITUTE
DPB (REGULATION)**

SUBSTITUTE TEACHERS

RATE OF PAY

1. Substitutes will be paid at the approved rate of pay for the current year.
2. Substitutes will be paid according to the time schedule published by the Business Office.
3. Earning statements are provided online.
4. Substitutes are encouraged to maintain a personal daily record of the days worked.
5. Substitutes who are certified teachers may be eligible for sub pay that is equivalent to the daily rate of pay of a certified teacher with no experience. This may occur only when the substitute has worked in a long term assignment continuously at least 25 days; however, the certified daily rate of pay is retroactive once the assignment exceeds 25 days.
6. Teacher assistant and clerical substitutes who work on a long term assignment of ten (10) days will be paid at the approved rate of pay for the current school year for a long term assignment.
7. Any questions concerning pay should be directed to the Business Office (Payroll Department).

The actual rates of pay for substitute teachers can be found on the district's website at Substitutes under the HR heading.

Substitute teachers may be employed for all or part of a day; substitutes employed for less than a full day will be paid according to the approved pay scale.

ASSIGNMENT OF SUBSTITUTE TEACHERS

The following procedures will be followed for contacting and assigning substitute teachers:

1. Substitute teachers will be contacted by the automated sub system.
2. A teacher who is ill, who has a family member who is ill, or who anticipates an absence for other approved reasons is expected to call

- the automated system no later than 6:00 a.m. on the morning of the absence.
3. A teacher anticipating an absence for discretionary reasons must request approval in advance in accordance with local policy (see DEC).

SUBSTITUTE TEACHER DUTIES

In the performance of his or her duties, a substitute teacher is expected to:

1. Have the same responsibilities and workday schedules as the regular teacher for which he or she is substituting;
2. Follow the lesson plan prepared by the regular teacher or comply with other instructions from the principal. The principal will review the lesson plans of an absent teacher when advance planning is possible. When specific planning is not possible, the absent teacher will have made generic provisions for substitutes in the daily plan book;
3. On completing an assignment, prepare a statement of the work accomplished in each subject or class;
4. Maintain the housekeeping arrangements of the regular teacher;
5. Administer no corporal punishment to a child, but contact the principal in the case of a serious behavior problem or a violation of the Student Code of Conduct; and
6. Substitutes in a long-term assignment attend staff meetings unless excused by the principal;
7. Complete routine reports required by the office, including:
 - a. Attendance reports; and
 - b. Disciplinary referrals.

SUBSTITUTE EVALUATION

A substitute teacher's performance may be documented by completing the evaluation form found on the automated substitute system upon completion of each assignment.

Approved – MAY 2015