

(LOCAL) Policy Comparison Packet

Each marked-up (LOCAL) policy in this collection reflects an automated comparison of the updated policy with its precursor, as found in the TASB Policy Service records.

The comparison is generated by an automated process that shows changes as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow.

For further assistance in understanding changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

DEFINITIONS

The term "immediate family" is defined as:

FAMILY

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

FAMILY
EMERGENCY

The term "family emergency" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

LEAVE DAY
WORKDAY

A "~~leave day~~**workday**" for purposes of earning, use, or recording **of leave** shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time.

CATASTROPHIC
ILLNESS OR INJURY

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Complications resulting from pregnancy shall be treated the same as any other condition.

AVAILABILITY

The District shall make **state personal leave and local**~~paid~~ leave for the current year available for use at the beginning of the school year.

EARNING LOCAL
LEAVE

~~The District shall not approve paid leave for more workdays than have been accumulated in prior years plus those to be earned during the current year. Any absences beyond available paid leave shall result in deductions from the employee's pay.~~

EARNING LEAVE

An employee shall not earn **any local** leave when he or she is in unpaid status. An employee using full or proportionate paid leave shall be considered to be in paid status.

DEDUCTIONS

**LEAVE WITHOUT
PAY**

The District shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.

**LEAVE PRORATION
EMPLOYED FOR
LESS THAN FULL
YEAR**

~~If~~**When** an employee separates from employment with the District before his or her last duty day of the year, or begins employment after the first duty day, state personal leave and local leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for:

1. State personal leave the employee~~has~~ used beyond his or her pro rata entitlement for the school year; and
2. Local leave the employee used but had not earned as of the date of separation.

**EMPLOYED FOR
FULL YEAR**

If an employee uses more local leave ~~more leave~~ than he or she earned and remains employed with the District through his or her last duty day~~has earned~~, the District shall deduct the cost of the excess~~unearned~~ leave days from the employee's **pay in accordance with administrative regulations.** ~~final paycheck for the year or from the last paycheck after the employee ceases to be employed by the District.~~

RECORDING

~~RECORDING~~

Leave shall be recorded as follows: ∴

1. Leave shall be recorded in half-day increments for all employees.
2. If the employee is taking intermittent FMLA leave, leave shall be recorded in one-hour increments.

ORDER OF USE

Earned compensatory time shall be used before any available paid state and local leave. [See DEA]

Available leave shall be used in the order determined by each employee.

Use of sick leave pool days shall be permitted only after all available state and local leave has been exhausted.

**CONCURRENT USE OF
LEAVE**

When an absent employee is eligible for FMLA leave, the District shall designate the absence as FMLA leave.

The District shall require the employee to use temporary disability leave and paid leave, including compensatory time, concurrently with FMLA leave.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

An employee receiving workers' compensation income benefits may be eligible for paid or unpaid leave. An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

MEDICAL
CERTIFICATION

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than five consecutive workdays because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent;
3. The employee requests FMLA leave for the employee's serious health condition or that of a spouse, parent, or child; or
4. The employee requests FMLA leave for military caregiver purposes.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

Note: For District contribution to employee insurance during leave, see CRD(LOCAL).

STATE PERSONAL
LEAVE

~~For purposes of this section, each employee shall earn state personal leave up to the statutory maximum of five workdays annually at the rate established in administrative regulations.~~

The Board requires employees to differentiate the manner in which state personal leave is used:

NON-
DISCRETIONARY
USE

1. Non-discretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May -30, 1995. [See DEC(LEGAL)]

Non-discretionary use ~~also~~ includes leave **related to the birth or placement of a child and taken for well-baby care** within the first year after **the child's** birth, adoption, or **foster placement** ~~of a child~~.

DISCRETIONARY
USE

2. Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

LIMITATIONS

REQUEST FOR
LEAVE

The employee shall submit a written request for discretionary use of state personal leave to the immediate supervisor or designee in advance in accordance with administrative regulations. In deciding whether to approve or deny state person-

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

al leave, the supervisor or designee shall not seek or consider the reasons for which an employee requests to use leave. The supervisor or designee shall, however, consider the effect of the employee's absence on the educational program or District operations, as well as the availability of substitutes.

LOCAL LEAVE
(~~SUB DOCK~~
SUB
DOCK)

All employees shall earn five ~~workdays of~~ paid local leave **days** per school year in accordance with administrative regulations.

Local leave shall accumulate to a maximum of 30 ~~workdays~~ **leave days**.

Local leave **earned prior to the 2010–11 school year** shall be used according to the terms and conditions of state personal leave; however, \$60 per day for certified ~~professional employees~~ **professionals** and \$30 per day for nonprofessional employees shall be deducted for each day of local leave taken. [See STATE PERSONAL LEAVE, above]

Local leave earned **beginning** in the 2010–11 school year shall be used according to the terms and conditions of state personal leave **and shall be taken** with no loss of pay. [See **STATE PERSONAL LEAVE, above**]

BIRTHDAY LEAVE

In addition, all employees shall be granted one ~~paid workday of~~ birthday leave **day** per fiscal year in accordance with administrative regulations. An employee shall use birthday leave in accordance with appropriate administrative regulations. Birthday leave shall be noncumulative.

BEREAVEMENT LEAVE

All employees ~~Each employee~~ shall be eligible to receive up to three ~~days of~~ bereavement leave **days** with no loss of pay upon the death of a member of the employee's immediate family. An employee shall provide documentation to determine eligibility in accordance with administrative procedures. Bereavement leave shall **be noncumulative** ~~not accumulate~~.

SICK LEAVE POOL

An employee who has exhausted all paid leave and who suffers from a catastrophic illness or injury or is absent due to the catastrophic illness or injury of a member of the employee's immediate family may request the establishment of a sick leave pool, to which District employees may donate local leave or state personal leave for use by the eligible employee.

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

The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

days allowed under a pool, or exhausts all leave days donated to the sick leave pool.

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

1. Procedures to request the establishment of a sick leave pool;
2. The maximum number of days an employee may donate to a sick leave pool;
3. The maximum number of days per school year an eligible employee may receive from a sick leave pool; and
4. The return of unused days to donors.

APPEAL

All decisions regarding the establishment or implementation of the District's sick leave pool may be appealed in accordance with DGBA(LOCAL), beginning with the Superintendent or designee.

FAMILY AND MEDICAL
LEAVE

For purposes of an employee's entitlement to FMLA **leave**, the 12-month period shall be July -1 through June -30.

TWELVE-MONTH
PERIOD

COMBINED LEAVE
FOR SPOUSES

If both spouses are employed by the District, the District shall not limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks, nor shall the District limit military caregiver leave to a combined total of 26 weeks. [See DECA(LEGAL)]

INTERMITTENT OR
REDUCED
SCHEDULE LEAVE

The District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. [See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.]

CERTIFICATION OF
LEAVE

If an employee requests leave, the employee shall provide certification, as required by FMLA regulations, of the need for leave. [See DECA(LEGAL)]

FITNESS-FOR-DUTY
CERTIFICATION

If an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification. If the District will require certification of the employee's ability to perform essential job functions, the District shall provide a list of essential job functions to the employee with the FMLA designation notice.

END OF SEMESTER
LEAVE

If a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester. [See DECA(LEGAL), LEAVE AT THE END OF A SEMESTER]

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

FAILURE TO RETURN	If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums paid by the District during the leave. [See DECA(LEGAL), RECOVERY OF BENEFIT COST]
TEMPORARY DISABILITY LEAVE	<p>Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active dutyreinstatement.]</p> <p>An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent or designee as a request for temporary disability leave.</p>
WORKERS' COMPENSATION	<hr/> <p>Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. [See CRD(LOCAL) regarding payment of insurance contribution during employee absences.]</p> <hr/>
	<p>An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.</p> <p>An employee eligible for workers' compensation income benefits, and not on assault leave, may elect in writing to use paid leave.</p>
COURT APPEARANCES	<p>Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.</p>

INSTRUCTIONAL MATERIALS
SELECTION AND ADOPTION

EFAA
(LOCAL)

NOTE: FOR PROVISIONS REGARDING INVENTORY AND REQUISITION OF INSTRUCTIONAL MATERIALS, SEE CMD. RECOMMENDATION AND ADOPTION COMMITTEE

INSTRUCTIONAL MATERIALS CERTIFICATION OF ALLOTMENT TEAM INSTRUCTIONAL MATERIALS

BOARD ACTION

The ~~District Superintendent or designee~~ shall **establish a team, as needed, to select** ~~appoint an~~ instructional materials **and technological equipment to be purchased with** ~~selection committee.~~

~~A majority of the District's committee members shall be classroom teachers.~~

~~After examining all~~ instructional materials **allotment. The team shall make selections based upon District instructional needs and in accordance with administrative regulations.**

The ~~reflected on the state lists, the~~ instructional materials **allotment team** ~~committee~~ shall **ensure that selected materials, in combination with any other materials in** ~~select items for~~ use by the District, allow the District to certify that all students are provided with instructional materials that cover ~~in~~ the essential knowledge and skills, as required by law. [See EFAA(LEGAL)]

The ~~District and recommend the selections to the~~ Board shall **approve final selections and** ~~for ratification. In the event the Board does not~~ ratify **the District's certification** ~~all~~ of instructional materials. **Final** ~~the~~ selections, ~~the reasons~~ shall be recorded in Board minutes. ~~The committee shall make other recommendations for selection until the Board has ratified all selections.~~

Brackett ISD
136901

ATTENDANCE
ATTENDANCE ACCOUNTING

FEB
(LOCAL)

**ATTENDANCE
ACCOUNTING
SYSTEM**

The Superintendent ~~or designee~~ shall be responsible for maintaining a student attendance accounting system in accordance with statutory and TEA requirements.

**ALTERNATE
RECORDING TIME**

When appropriate, the Superintendent shall establish written procedures permitting a campus to specify an alternate time for taking attendance other than the second or fifth instructional hour. Exceptions may be authorized for an entire campus or for a designated group of students at a campus. The alternate time for recording attendance shall be determined in accordance with TEA's *Student Attendance Accounting Handbook*.

~~The Superintendent or designee shall report annually to the Board concerning the operation and effectiveness of the District's student attendance system, and may present recommendations for improvement.~~

**PARENTAL CONSENT
TO LEAVE CAMPUS**

The Superintendent shall establish procedures regarding parental consent for a student to leave campus, including procedures absent from school for any portion of a school day shall provide a note that describes the reason for documenting a student's the absence. The procedures note shall be communicated insigned by the employee student's parent.

~~A verifiable, documented telephone call from the parent to the school office, indicating consent and stating the reason for the absence, shall be accepted in lieu of a note.~~

~~If the student **handbooks** is 18 or older or is an emancipated minor, the student may sign or telephone in place of a parent.~~

DATE ISSUED: ~~2/12/2013~~ ~~10/16/2006~~
UPDATE 96 ~~LDU-42-06~~
FEB(LOCAL)-~~A~~X

ADOPTED:

1 of 1