

UPDATE 102

DISCUSSION ITEM

DBB EMPLOYMENT REQUIREMENT AND RESTRICTIONS MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

PLACEMENT ON TEMPORARY DISABILITY

The Superintendent or designee shall have authority to place an **eligible** employee on temporary disability leave at the employee's request, as appropriate, when the employee's condition interferes with the performance of regular duties.

Based on the Superintendent's recommendation that an **eligible** employee be involuntarily placed in temporary disability leave, the Board shall place an employee on temporary disability leave if the Board determines, in consultation with the physician who performed the medical examination, that the **employee's educator's** condition interferes with the performance of regular duties. **[For employees who are eligible for temporary disability leave, see DEC(LOCAL)]**

DBB EMPLOYMENT REQUIREMENT AND RESTRICTIONS MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

In accordance with DGBA, an employee may file a complaint disputing placement on temporary disability leave. As part of the complaint process, the employee may present testimony or other relevant information to the Board regarding the employee's fitness to perform regular duties.

DEA COMPENSATION AND BENEFITS COMPENSATION PLAN

The Superintendent shall recommend ~~an annual to the Board for approval pay structure and~~ compensation plans for all District employees. ~~The compensation plan may include wage and salary pay~~ structures, stipends, benefits, and incentives. [See also DEAA] The recommended plan shall support District goals for hiring ~~be designed and administered for the purpose of attracting~~ and retaining highly qualified employees. The Board shall review and approve the compensation plan to be used by the District. The Board shall also determine the total compensation package for the ~~to achieve District goals.~~ The Superintendent.

DEA COMPENSATION AND BENEFITS COMPENSATION PLAN

PAY ADMINISTRATION

The Superintendent shall implement the compensation plan and establish procedures for plan administration consistent with the budget. The Superintendent or designee shall classify each job title within the compensation plan based on the qualifications, duties, and market value of the position.

ANNUALIZED SALARY

The District shall pay all salaried employees over 12 months in equal monthly or bimonthly installments, regardless of the number of months employed during the school year. **Salaried employees hired during the school year shall be paid** ~~shall administer and maintain pay systems~~ in accordance with administrative regulations ~~for the District's compensation plan.~~

DEA COMPENSATION AND BENEFITS COMPENSATION PLAN

MID-YEAR PAY INCREASES (Contract Employees)

A contract employee's pay may be increased after performance on the contract has begun only if authorized by the compensation plan of the District or there is a change in the employee's job assignment or duties during the term of the contract that warrants additional compensation. Any such changes in pay that do not conform with the compensation plan shall require Board approval. [See DEA(LEGAL) for provisions on pay increases and public hearing requirements]

PAY DURING CLOSING

If the Board chooses to pay employees during an emergency closure for which the workdays are not scheduled to be made up at a later date, then that authorization shall be by resolution or other Board action and shall reflect the purpose served by the expenditure. [See EB for the authority to close schools]

DEAA

COMPENSATION PLAN INCENTIVES AND STIPENDS

STIPEND ~~MASTER TEACHER STIPENDS~~

The Superintendent shall recommend a stipend pay schedule as part of the annual compensation plan of the District. [See DEA] ~~At the end of the school year, a master teacher shall be paid the stipend for any month in which the teacher performed the prescribed duties for more than ten days. [See DBA].~~

SUPPLEMENTAL DUTIES

Superintendent or designee may assign non-contractual supplemental duties to personnel exempt under the Fair Labor Standards Act (FLSA), as needed. [See DK(LOCAL)] The employee shall be compensated for these assignments according to the compensation plan to the District ~~supplemental duty pay schedule system approved by the Board.~~

DEAA

COMPENSATION PLAN INCENTIVES AND STIPENDS

~~EDUCATOR~~ INCENTIVE **AND INNOVATION** PROGRAMS

The Superintendent shall have authority to submit ~~incentive~~ plans and grant applications for incentive **and innovation** programs to TEA **or other granting organizations**, on behalf of the Board **Incentive** ~~The incentive~~ plans shall address teacher eligibility, including any exclusions.

Locally developed incentive programs, if any, shall be addressed in the compensation plan of the District. ~~See also DEA regarding stipends for noncontractual supplemental duties.]~~

DEAB COMPENSATION PLAN WAGE AND HOUR LAWS

CLASSIFICATION OF POSITIONS

The Superintendent or designee shall determine the classification of positions or employees as “exempt” or “nonexempt” for purposes of payment of overtime in compliance with the Fair Labor Standards Act (FLSA).

EXEMPT

The District shall pay employees who are exempt from the overtime pay requirements of the FLSA on a salary basis. The salaries of these employees are intended to cover all hours worked, and the District shall not make deductions that are prohibited under the FLSA.

DEAB COMPENSATION PLAN WAGE AND HOUR LAWS

An employee who believes deductions have been made from his or her salary in violation of this policy should bring the matter to the District's attention, through the District's complaint policy. [See DGBA] If improper deductions are confirmed, the District will reimburse the employee and take steps to ensure future compliance with the FLSA.

NONEXEMPT

Nonexempt employees may be compensated on an hourly basis or on a salary basis. Employees who are paid on an hourly basis shall be compensated for all hours worked. Employees who are paid on a salary basis are paid for up to and including a 40-hour work week.

A nonexempt employee shall have the approval of his or her supervisor before working overtime. An employee who works overtime without prior approval is subject to discipline but shall be compensated in accordance with the FLSA.

DEAB COMPENSATION PLAN WAGE AND HOUR LAWS

WORKWEEK DEFINED

For purposes of FLSA compliance, the workweek for District employees shall begin at 12:01 a.m. Monday and end at 12:00 a.m. Monday

COMPENSATORY TIME

At the District's option, nonexempt employees may receive compensatory time off, rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay. [See DEA(REGULATION)]

ACCRUAL

~~Compensatory time earned by nonexempt employees may not accrue beyond a maximum of 60 hours. If an employee has a balance of more than 60 hours of compensatory time, the District shall require the employee to use the compensatory time, or at the District's option, the District shall pay the employee for the compensatory time.~~

DEAB COMPENSATION PLAN WAGE AND HOUR LAWS

USE

~~An employee shall use compensatory time within the duty year in which it is earned. If an employee has any unused compensatory time remaining at the end of a duty year, the District shall pay the employee for the compensatory time.~~

Compensatory time may be used at either the employee's or the District's option. An employee may use compensatory time in accordance with the District's leave policies and if such use does not unduly disrupt the operations of the District. [See DEC(LOCAL)] The District may require an employee to use compensatory time when in the best interest of the District.

DEE COMPENSATION AND BENEFITS EXPENSE REIMBURSEMENT

EXCEPTION

Expenses for meals associated with authorized overnight travel not related to a state or federal grant shall be paid to employees on a per diem basis. No receipts shall be required for expenses paid on a per diem basis.

DFFA REDUCTION IN FORCE FINANCIAL EXIGENCY

PLAN TO REDUCE PERSONNEL COSTS

Salary reductions [see DEA ~~DEAB~~]

Furloughs, if the District has received certification from the Commissioner of a reduction in funding under Education Code 42.009 [see CBA and DEA ~~DEAB~~]

EMPLOYEE STANDARDS OF CONDUCT SEARCHES AND ALCOHOL/DRUG TESTING

~~DEPARTMENT OF TRANSPORTATION (DOT)~~ TESTING PROGRAM

In accordance with DOT rules, the ~~The~~ District shall establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by the drivers of commercial motor vehicles, including school buses.

The primary purpose of the testing program is to prevent impaired employees from performing safety-sensitive functions.

The Superintendent shall designate a District official who shall be responsible for ensuring that information is disseminated to employees covered under this testing program regarding prohibited driver conduct, alcohol and controlled substances tests, and the consequences that follow positive test results.

DRUG RELATED VIOLATIONS

The following **constitute drug-related violations under the DOT rules** ~~conduct~~
~~constitutes violation of District policy~~:

1. Refusing to submit to a required test for alcohol or controlled substance.
2. Providing an adulterated, diluted, or a substituted specimen on an alcohol or **controlled substances** ~~drug~~ test.
3. Testing positive for alcohol, at a concentration of 0.04 or above, in a **post-accident** ~~postaccident~~ test.
4. Testing positive for controlled substances in a **post-accident** ~~postaccident~~ test.
5. Testing positive for alcohol, at a concentration of 0.04 or above, in a random test.
6. Testing positive for controlled substances in a random test.

EMPLOYEE STANDARDS OF CONDUCT SEARCHES AND ALCOHOL/DRUG TESTING

7. Testing positive for alcohol, at a concentration of 0.04 or above, in a reasonable suspicion test.
8. Testing positive for controlled substances in a reasonable suspicion test.

An employee who operates a commercial motor vehicle, including a bus, and commits a drug-related DOT violation as defined above: ~~The Superintendent shall not be eligible designate a District official who shall be responsible for reinstatement as a ensuring that information is disseminated to employees regarding prohibited~~ driver.

ALCOHOL RESULTS BETWEEN 0.02 AND 0.04

In accordance with DOT rules, a driver tested under this policy and found to have an ~~conduct~~, alcohol concentration of 0.02 or greater, but less than 0.04, shall be suspended from driving duties for at least 24 hours.

ALCOHOL RESULTS BETWEEN 0.02 AND 0.04

In accordance with DOT rules, a driver tested under this policy and found to have an ~~conduct~~, alcohol concentration of 0.02 or greater, but less than 0.04, shall be suspended from driving duties for at least 24 hours.

[~~In and controlled substances tests, and~~ the event of a subsequent consequences that follow positive test result for alcohol at 0.02 or greater but less than 0.04, see the disciplinary consequences at DISTRICT-IMPOSED CONSEQUENCES, below.] ~~results.~~

CONSORTIUM

~~With specific Board approval, the Superintendent may contract on behalf of the District with outside consultants and contractors and work with a consortium of other local governments to secure the testing services, educational materials, and other component elements needed for this program.~~

~~Under such contract, the consortium shall be responsible for implementing, directing, administering, and managing the alcohol and controlled substances program within the U.S. Department of Transportation guidelines. - The consortium shall serve as the principal contact with the laboratory and for collection activities in assuring the effective operation of the testing portion of the program.~~

EMPLOYEE STANDARDS OF CONDUCT SEARCHES AND ALCOHOL/DRUG TESTING

DISTRICT-IMPOSED CONSEQUENCES ~~OF POSITIVE TEST RESULTS~~

In addition to the consequences established by federal law, a District employee confirmed to have violated the District's policy pertaining to alcohol or controlled substances, **including a second or subsequent positive test result for alcohol of 0.02 or greater but less than 0.04**, shall be subject to District-imposed discipline, as determined by his or her supervisor~~(s)~~ and the Superintendent. Such discipline may include any appropriate action from suspension without pay during the period of removal from safety-sensitive functions, up to and including termination of employment. [See DF series]

REASONABLE SUSPICION SEARCHES

The District reserves the right to conduct searches when the District has reasonable **suspicion** ~~cause~~ to believe that a search will uncover evidence of work-related misconduct. The District may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on District premises or worksites or used in District business. **Searches that reveal a violation of the District's standards of conduct may result in disciplinary action.** [See DH]

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FNC STUDENT RIGHTS AND RESPONSIBILITIES

STUDENT CONDUCT

~~STUDENT HANDBOOK—STUDENT CODE OF CONDUCT~~

~~The District's rules of conduct and discipline, maintained in the student handbook and/or the Board adopted Student Code of Conduct, are established to achieve and maintain order in the schools, and to teach respect toward others and responsible behavior. [See FO series]~~

~~EXTRACURRICULAR ACTIVITIES: STANDARDS OF BEHAVIOR~~

~~With the approval of the principal and Superintendent, a sponsor or a coach of an extracurricular activity may develop and enforce standards of behavior that are higher than the District developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. [See FO]~~

~~While subject to the disciplinary control of the District, a student shall not engage in prohibited harassment, including sexual harassment, of another person, including a Board member, vendor, contractor, volunteer, or parent.~~

FNC STUDENT RIGHTS AND RESPONSIBILITIES

STUDENT CONDUCT

~~A student who violates this prohibition shall be subject to appropriate discipline in accordance with the Student Code of Conduct.~~

~~BEHAVIORAL STANDARDS~~

- ~~1. Use of District technology resources — CQ~~
- ~~2. Attendance — FEC~~
- ~~3. Bullying — FFI~~
- ~~4. School sponsored publications — FMA~~
- ~~5. Appropriate attire and grooming — FNCA~~
- ~~6. Damage to school property — FNCB~~
- ~~7. Prohibited organizations and hazing — FNCE~~
- ~~8. Tobacco use — FNCD~~
- ~~9. Use of personal telecommunications devices and other electronic devices — FNCE~~
- ~~10. Drug and alcohol use — FNCF~~
- ~~11. Weapons — FNCG~~
- ~~12. Assault — FNCH~~
- ~~13. Disruptions — FNCI, GKA~~

FO STUDENT DISCIPLINE

PHYSICAL RESTRAINT

A District employee may restrain a student with a disability who receives special education services only in accordance with law. [See FOF(LLEGAL)]

STUDENT CODE OF CONDUCT

The District's rules of discipline are maintained in the Board-adopted Student Code of Conduct and are established to support an environment conducive to teaching and learning

Rules of conduct and discipline shall not have the effect of discriminating on the basis of gender, race, color, disability, religion, ethnicity, or national origin.

At the beginning of the school year and throughout the school year as necessary, the Student Code of Conduct shall be:

1. Posted and prominently displayed at each campus or made available for review in the principal's office, as required by law; and

FO STUDENT DISCIPLINE

2. Made available on the District's website and/or as a hard copy to students, parents, teachers, administrators, and others on request.

REVISIONS

Revisions to the Student Code of Conduct approved by the Board during the year shall be made available promptly to students and parents, teachers, administrators, and others.

EXTRACURRICULAR STANDARDS OF BEHAVIOR

With the approval of the principal and Superintendent, sponsors and coaches of extracurricular activities may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off school property. Extracurricular behavioral standards shall not have the effect of discriminating on the basis of gender, race, color, disability, religion, ethnicity, or national origin.

FO STUDENT DISCIPLINE

A student shall be informed of any extracurricular behavior standards at the beginning of each school year or when the student first begins participation in the activity. A student and his or her parent shall sign and return to the sponsor or coach a statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

Standards of behavior for an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of behavior that are also violations of the Student Code of Conduct may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violation of extracurricular standards of behavior for an activity or for violation of the Student Code of Conduct.