

Agenda of Special Meeting

The Board of Trustees Canutillo ISD

A Special meeting of the Board of Trustees of Canutillo ISD will be held March 23, 2010, beginning at 7:00 PM in the Canutillo ISD Administration Office, 7965 Artcraft, El Paso, TX 79932.

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

1. CALL TO ORDER
 2. ROLL CALL
 3. NEW BUSINESS
 - A. Review and recommendation of DEA(Local) Compensation and Benefits: Salaries and Wages (First Reading) 2
Presenter: Mrs. O'Donnell
 4. EXECUTIVE SESSION
 5. NEW BUSINESS (CONTINUED)
 - A. Consider recommendation for contract renewals for teachers/professional personnel for the 2010-11 school year
Presenter: Mrs. O'Donnell
 - B. Consider recommendation for non-renewal of probationary professional personnel for the 2010-11 school year
Presenter: Mrs. O'Donnell
 - C. Discussion and possible action regarding contract for Internal Auditor
Presenter: Mr. Coronado
 - D. Consider settlement of Monica Cazares v. Canutillo ISD litigation
Presenter: Mr. Baskind
 6. ADJOURNMENT
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If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.



Canutillo Independent School District

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MEMORANDUM

TO: Members of the Board of Trustees

FROM: Dr. Damon Murphy, Superintendent

DATE: March 12, 2010

SUBJECT: Revision of DEA(Local) First Reading

On December 8, 2009, the Board of Trustees and Administration reviewed DEA(Local) Compensation and Benefits: Salaries and Wages. Specifically, the area for district-declared emergencies – early release or late start was reviewed and recommendations for revision were made in this area for inclement weather. Please find attached the revision for your review and consideration.

ADMINISTRATIVE RECOMMENDATION: Administration recommends approval of DEA(Local) first reading.

COMPENSATION AND BENEFITS
SALARIES AND WAGES

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(LOCAL)

	<p>The Superintendent shall recommend to the Board for approval compensation plans for all District employees. Compensation plans may include wage and salary structures, stipends, benefits, and incentives.</p> <p>Compensation plans shall be designed and administered for the purpose of attracting and retaining qualified employees to achieve District goals.</p>
PAY SYSTEMS DESCRIPTION	<p>The Superintendent shall assign positions to pay ranges that define the minimum and maximum base pay for the positions.</p> <p>All employees shall be paid within the assigned pay ranges unless exceptions are granted by the Board.</p> <p>The system shall be designed and administered to accomplish the following:</p> <ol style="list-style-type: none">1. Stay competitive with appropriate labor markets for the various categories of personnel.2. Recognize the levels of skill, effort, and responsibility required of different jobs.3. Be fiscally controlled and cost effective. <p>A copy of the District's pay system shall be available in the administrative offices.</p>
PAY RANGES	<p>Pay ranges for each pay grade shall establish minimum and maximum rates of pay within the range. All pay ranges shall be established by monthly, daily, or hourly base rates to promote consistent treatment of employees who have different work periods. Employees shall be paid within the range of rates established for the position assigned.</p> <p>The Superintendent shall review pay ranges on an annual basis and recommend adjustments consistent with economic and job market indicators.</p>
PAY ADVANCEMENT	<p>Pay ranges shall be structured to allow the opportunity to increase employee pay within the range for continued service to the District. The Superintendent shall make recommendations regarding employee increases on an annual basis. Recommendations shall be based on consideration of such factors as cost of living indexes, wage increases within competitive job markets, and budget resources. No employee with less than a satisfactory performance evaluation shall receive a pay increase.</p>
PAY BUDGET INCREASE	<p>The Superintendent shall recommend to the Board an amount for employee pay increases as part of the annual budget. Pay increases beyond the budgeted amount for individuals or positions shall be subject to Board approval.</p>

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PAY ADMINISTRATION Employee pay adjustments shall be administered by the Superintendent or designee in accordance with written procedures to promote impartial and consistent treatment of all employees. Administrative procedures shall include hiring guidelines, promotion guidelines, updating pay ranges, methods for calculating and applying a general pay increase, and a process for job classification review.

DISASTER PAY The emergency closing of schools during a disaster for any cause shall be at the discretion of the Superintendent. During an emergency closing, all nonexempt employees shall continue to be paid for their regular duty schedule regardless of whether the employee is required to report to work.

Nonexempt employees who are required to work during an emergency closing shall be paid at the rate of one and a half times their regular rate of pay for all hours worked up to 40 hours per week. Overtime for time worked over 40 hours in a week shall be calculated and paid according to law. The Superintendent or designee shall approve payments and ensure that accurate time records are kept of actual hours worked during emergency closings.

**DISTRICT DECLARED
EMERGENCY- EARLY
RELEASE OR LATE
START**

The Superintendent or designee may declare an emergency on a campus wide or district wide basis in cases such as inclement weather, power outages, etc. For example, employees available to work may be allowed to leave early (or start their day late) in order to:

- Get home (or arrive to the worksite) without putting the employee at peril (inclement weather);
- Avoid significant discomfort to the employees (no air conditioning or heat);
- Avoid employees sitting idle (no electricity);

Non-exempt employees will use the District Declared Emergency Leave Code to record their leave.

For example: an employee normally works an 8:00 a.m. to 4:30 p.m. schedule. Employees are released at 1:00 p.m. The employee leaves at 1:00 p.m. and should show 3.5 hours of District Declared Emergency Leave. If the employee did not leave until 2:00 p.m., then 2.5 hours should be recorded.

If the employee leaves before the release time, the time before the release time should be charged to leave time (personal business, non duty, etc.) or the time should be made up. For example: the employee in the situation listed above leaves at 12:00 noon. One hour of leave time should be charged by calling or logging into the District absence tracking system.

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Employees are expected to report to work at their normal time (or stay at work until their normal time) if the emergency does not prevent them from doing so safely. Employees are expected to work their normal schedule and will not be compensated (monetarily or with time off) if they did not use the emergency release time.

Since the emergency release time is meant to accommodate employees on duty or ready and available to work, employees who had called in absences for the day will not receive any release time but will be required to charge a full absence to personal leave (sick leave, vacation/non-duty etc.).

When the Superintendent or designee has declared a district emergency, no more than 4 working hours may be charged to the District Declared Emergency Leave code. In cases where the emergency extends beyond 4 hours, the non-exempt employee who has missed the majority of the work day has the following options:

1. Use available leave (compensatory time, non-duty leave, vacation time, or personal leave.
2. Make up the time within 30 calendar days of the absence date.

CLASSIFICATION OF
POSITIONS

Each job in the District shall be assigned to a pay grade based on the level of skill, effort, and responsibility required for the job assignment. The Superintendent shall classify new positions or reclassify existing positions as necessary based on job requirements and comparability to other positions in the District.

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 Fair Labor Standards Act 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.

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.

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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 a 40-hour workweek and do not earn additional pay unless the employee works more than 40 hours.

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, up to and including termination, but shall be compensated in accordance with the Fair Labor Standards Act.

COMPENSATORY
TIME

Compensation for overtime hours shall be awarded at one and a half times the employee's regular rate of pay or by time and a half earned in compensatory time. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay. Compensatory time earned by nonexempt employees may not accumulate beyond a maximum of 40 hours. If an employee has a balance of more than 40 hours of overtime, the employee will be required to take compensatory time or, at the District's option, will receive overtime pay.

Unless the District receives prior written notification, all absences shall be charged against compensatory time before being charged against sick leave or personal leave.

Compensatory time shall be used by December of the duty year (July–June) in which it is earned. In January of the duty year, the District shall pay an employee overtime for all unused compensatory time remaining at the end of December of the previous duty year. Use of compensatory time may be at the employee's request or as determined by the employee's supervisor to protect the District's schedules and activities.

WORKWEEK
DEFINED

For purposes of FLSA compliance, the workweek for District employees shall be 12:00 a.m. Wednesday until 11:59 p.m. Tuesday.

SUPPLEMENTAL
DUTIES

The Superintendent or designee may assign noncontractual supplemental duties to personnel exempt under the Fair Labor Standards Act, as needed. The employee shall be compensated for these assignments according to the supplemental duty pay schedule established by the Board. These assignments may be discontinued at any time for any reason or no reason, by either party. The assignment of these duties shall not create any expectation of continued assignment to that same duty or any other duty.

Under the Fair Labor Standards Act, extra duty pay assignments for noncontractual (nonexempt) employees may be assigned if the duties are occasional and sporadic and are not related to the em-

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employee's regular duties. Nonexempt employees performing extra-duty assignments are eligible for paid overtime or compensatory time at a rate of time and a half for all work over 40 hours in a workweek. Therefore, the District shall assign a nonexempt employee as a sponsor for a nonacademic/UIIL activity only if an exempt employee is unavailable for the assignment. The Extra Duty Stipend/Supplemental Pay Increment Schedule published by the District contains additional information.

ADVANCED DEGREE When a professional employee completes a master's or doctorate degree in his or her teaching field or area of work responsibility prior to September 1, a pay increase based on the degree shall begin at that time; for degrees completed in December, a prorated pay increase for the employee shall begin in January.

CREDITABLE SERVICE Employees who are receiving workers' compensation wage benefits and who have no available paid leave shall not earn creditable years of service while absent from duty.

In order to accrue a creditable year of service, an employee must be employed for at least 90 full-time days or the equivalent.

ANNUALIZED SALARY REQUIRED The District shall pay all salaried employees over 12 months, regardless of the number of months employed during the school year. A salaried employee shall receive his or her salary in equal monthly or bimonthly payments, beginning with the first pay period of the school year.

EARLY SEPARATION If a salaried employee separates from service before the last day of instruction, the employee shall receive in his or her final paycheck the unpaid amount the employee has actually earned from the beginning of the 12-month pay period until the date of separation. For purposes of this policy, "separation from service" shall be as defined in IRS regulation 26 CFR 1.409A-1(h).

A salaried employee who separates from service on or after the last day of instruction shall be paid as follows:

1. An employee who is retiring under the Texas Teacher Retirement System shall receive in his or her final paycheck the unpaid amount the employee has actually earned from the beginning of the 12-month pay period until the date of separation. If the employee is eligible and elects to continue enrollment in the District's group health coverage for one or more months of the summer, the employee's share of premiums shall be withheld from the final paycheck.
2. All other employees shall be paid according to the annualized salary provisions above.

Canutillo ISD
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[For provisions on continuation of coverage after resignation, see
CRD(LEGAL).]