



**מדנאחאנס-  
פאקעטפ-פאדע**

**פאד  
"פאע נעכט"**

**גענעראצאאן"**

**עמפאנדע  
האנדבווק**

**2009-2010**

## **Introduction for the 2009-2010 Employee Handbook**

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Office of the Assistant Superintendent, Glenna S. Applewhite, at the administration building.

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of non-contract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with the handbook topics, confer with their supervisor, or call the appropriate district office. Policy manuals are located on-line and are available for employee viewing during normal working hours.

## DISTRICT INFORMATION

### Description of the District

#### Rated *Academically Acceptable* by State Accountability Standards

Monahans-Wickett-Pyote Independent School District is located in the city limits of Monahans, Texas, on Interstate 20, approximately forty miles west of Odessa, Texas, and covers 837 square miles in Ward County. Monahans has a population of approximately 6,821, while Ward County is estimated to have a population of 10,909.

Monahans' primary economic base is petroleum. With the upswing of oil prices and the demand for oil-related support services, the economic base remains stable even with the economic slow-down across the nation.

The school system consists of three elementary schools, one junior high campus, and two high school campuses. A total of 1979 students (Superintendent's report) attend M-W-P ISD. A staff of more than 300 professionals, para-professionals and support staff are employed by the district.

The 2009-2010 school year will begin in newly remodeled facilities at Tatom Elementary. The stadium, field house, outdoor fields, courts, and sports complex including the pool also have been upgraded during the past two years. The district continues to provide quality education in quality facilities for the students, parents and community. Progress will continue this year as the district undertakes building new classrooms at Monahans High School and remodels additional high school and district facilities.

The student population consists of 52.3% Hispanic, 39.2% White, 8% African-American, .3% Asian/Pacific Islander, and .3% Native American. (AEIS 2008).

The district website may be found at <http://www.mwpisd.esc18.net> and contains links to all administration, campuses, departments, Parent Gradebook, the district calendar, and any legal notifications.

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### District Mission Statement

#### *Policy AE*

The Monahans-Wickett-Pyote Independent School district believes that it is responsible for providing quality curricular, co-curricular and extra-curricular programs and activities which give all students opportunities to reach their maximum potential and become productive citizens of our community and country.

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## **Board of Trustees**

*Policies BA, BB, BD, and BE series*

Texas law grants the board of trustees the power to govern and oversee the management of the district's schools. The board is the policy-making body within the district and has overall responsibility for the curriculum, school taxes, annual budget, employment of the superintendent and other professional staff, facilities, and expansions. The board has complete and final control over school matters within limits established by state and federal law and regulations.

The board of trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Trustees serve without compensation, must be registered voters, and must reside in the district. Current board members include:

Bo Rose, President	Bobby Almanza
Donna Garcia, Vice-President	Bill Clayton, alternate secretary
Kay Rankin, Secretary	Denny Latham
	Raymond Reyes

The Board usually meets the third Wednesday of the month in the Board Room of the Administration Building. In the event that large attendance is anticipated, the board may meet at the Walker Junior High cafeteria. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the Administration Building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice. This notice is also posted on the district website <http://www.mwpisd.esc18.net>.

All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session. Closed session may occur for matters such as discussing prospective gifts or donations, real property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or to consult with attorneys regarding pending litigation.

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## **Administration**

Superintendent:	Mr. Keith Richardson
Secretary:	Mrs. Melissa Steele
Assistant Superintendent:	Mrs. Glenna S. Applewhite
Personnel Secretary:	Mrs. Sherry Treadaway
Business Manager/Auditor:	Mrs. Linda Schulz
Finance Clerk:	Mrs. Karon Doshier
Insurance Clerk:	Mrs. Maria Fuentes
Payroll Clerk:	Mrs. Sarah Harris

Technology Director:	Mrs. Nancy Upchurch
Special Education Services:	Mrs. Kimberly Gilliam
Monahans High School Principal:	Mrs. Kellye Riley
Assistant Principal:	Mr. Roy Rutledge
Counselors:	Mrs. Kim Thomas & Mrs. Debbie Gambino
Monahans Education Center Principal:	Mr. Daryl Skinner
Walker Junior High Principal:	Mr. Jeff Jones
Assistant Principal:	Mrs. Kathy Lewallen
Counselor:	Mrs. Kristi Simpson
Sudderth Elementary Principal:	Mrs. Bonnie Richardson
Assistant Principal:	Mrs. Dianna Scott
Counselor:	Mrs. Bonnie Benad
Tatom Elementary Principal:	Mr. Doug Doege
Cullender Kindergarten Principal:	Mr. Chad Smith
Elementary Counselor:	Mrs. Carmen Olibas

## School Calendar

Available on the district website <http://www.mwpsd.esc18.net>

## Helpful Contacts

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed below.

## School Directory

Monahans-Wickett-Pyote ISD Administration Building:	943-6711
FAX Line	943-2307
Multi-Purpose Complex and Racquetball Facility	943-3222
Monahans-Wickett-Pyote Auxiliary Services:	
Bus Barn	943-2172

Maintenance Department	943-2488
Food Services	943-2141
Special Education Services:	943-3504
FAX Line	943-5118
Monahans High School:	943-2519 (2510)
FAX Line	943-3327
Cafeteria	943-2141
Library	943-5637
Vocational Department	943-2350
Band Hall	943-7215
Football Stadium	943-9258
Press Box	943-9223
Athletic Department – Field House	943-3421
FAX Line in the Field House	943-2668
Baseball Field House	943-4495
Training Room	943-6651
Tennis Courts	943-4012
Swimming Pool	943-5871
SAC Building	943-6911
Basketball and Volleyball Offices	943-9019
Computer Labs	943-8650
FAX Line – Computer Labs	943-5057
Monahans Education Center:	943-2019
Walker Junior High School:	943-4622 (3361)
FAX Line	943-3723
Cafeteria	943-4791
Boys' Athletics	943-7218
Girls' Athletics	943-4791
Sudderth Elementary School:	943-2414 (5101)
FAX Line	943-2685
Tatom Elementary School:	943-2769 (4521)
FAX Line	943-3952
Secretary	943-4521
Cullender Kindergarten School:	943-5551
CEI Lab	943-4768

# EMPLOYMENT

## **Equal Employment Opportunity**

*Policies DAA, DIA*

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

Employees with questions or concerns relating to discrimination on any of the basis listed above should contact the Office of the Superintendent or the Title IX Coordinator, 606 South Betty, Monahans, Texas, 943-6711.

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## **Job Vacancy Announcements**

*Policy DC*

Announcements of job vacancies by position and location are distributed on a regular basis on the district website (<http://mwpsd.esc18.net>) and also maybe posted on one or more of the following: the website of Education Service Center 18 in Midland, each campus' information board or website, the central office, other district locations, and on other professional organizational websites.

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## **Employment After Retirement**

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in limited circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state laws. Detailed information about employment after retirement is available in the TRS publication *Employment After Retirement*. Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Web Site. ([www.trs.state.tx.us](http://www.trs.state.tx.us)).

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## **Contract and Noncontract Employment**

*Policies DC, DCA, DCB, DCC, DCD, DCE*

State law requires the district to employ all full-time professional employees in positions requiring a certificate from State Board of Educator Certification (SBEC) and nurses

under probationary, term, or continuing contracts. Employees in all other positions are employed at-will or by a contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the district.

**Probationary Contracts:** Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive probationary contracts during their first year of employment. Former employees who are hired after at least a two-year lapse in district employment also may be employed by probationary contract. The probationary period for those who have been employed in public schools for at least five of the eight years preceding employment with the district may not exceed one school year. For those with less experience, the probationary period will be three school years (i.e., three one-year contracts), with an optional fourth school year if the board so determines.

**Term and Continuing Contracts:** Full-time professionals employed in positions requiring certification and nurses will be employed by one-year term contracts after they have successfully completed the probationary period. Campus principals and central office administrators are also employed under one-year term contracts. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract and employment policies.

**Noncertified Professional and Administrative Employees:** Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are not employed by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

**Paraprofessional and Auxiliary Employees:** All paraprofessional and auxiliary employees, regardless of certification, are employed at will and not by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

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## **Searches and Alcohol and Drug Testing**

### *Policies DHE*

Noninvestigatory searches in the workplace, including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the district reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's

personal items, work areas, including district owned computers, lockers, and private vehicles on district premises or work sites or used in district business.

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted when an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs returns to duty.

All employees required to have a CDL or who are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact the Office of the Superintendent, 606 South Betty, Monahans, Texas, 943-6711.

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## **Health Safety Training**

*Policies DBA, DMA*

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification to the Office of the Superintendent by September 1 each year.

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## **Reassignments and Transfers**

*Policy DK*

All personnel are subject to assignment and reassignment by the Superintendent or designee when the superintendent determines that the assignment or reassignment is in the best interest of the district. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract.

Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (LOCAL).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. Teachers requesting a transfer to another campus before the school year begins must submit his or her request by June 1. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the office of the Superintendent and must be approved by the receiving supervisor.

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## **Workload and Work Schedules**

*Policies DEA, DL*

**Professional Employees:** Professional employees and academic administrators are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including required days of service and scheduled holidays will be distributed each school year.

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

**Paraprofessional and Auxiliary Employees:** Support employees are employed at will and will be notified of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

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## **Notification to Parents Regarding Qualifications**

*Policies DK, DBA*

In schools receiving Title I funds, the district is also required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request

information regarding the professional qualifications of their child's teacher. NCLB also requires that parents be notified if their child has been assigned, or taught for four or more consecutive weeks, by a teacher who is not highly qualified.

Texas law also requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notification under NCLB is sent. Inappropriately certified or uncertified teachers include individuals serving with an emergency permit (including individuals waiting to take a certification exam) or individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request.

Employees who have questions about their certification status can call Mrs. Sherry Treadaway, Personnel Secretary, 943-6711.

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## **Outside Employment and Tutoring**

*Policy DBD*

Employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the district. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest.

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## **Performance Evaluation**

*Policies DN, DNA, DNB*

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Non-contract employees will be evaluated twice a year. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, have a performance conference with their supervisor, and get the opportunity to respond to the evaluation.

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## **Employee Involvement**

*Policies BQA, BQB*

At both the campus and district levels, Monahans-Wickett-Pyote ISD offers opportunities for input in matters that affect employees and influences the instructional effectiveness of the district. As part of the district's planning and decision-making

process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office or from the Administration Offices, 606 South Betty, Monahans, Texas, 943-6711.

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## **Staff Development and Continuing Education Hours**

### *Policy DMA*

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for noninstructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

**Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation. Information must be updated by the individual and is monitored for compliance by the Office of the Assistant Superintendent.**

# COMPENSATION AND BENEFITS

## **Salaries, Wages, and Stipends**

*Policies DEA, DEAA*

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*)

Salary and wage schedules are reviewed annually and adjusted according to the budgeted amounts approved by the board. All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular and supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

Employees should contact Mrs. Sherry Treadaway, Personnel Secretary, 943-6711, for more information about the district's pay schedules or their own pay.

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## **Annualized Compensation**

The district pays all salaried employees over 12 months regardless of the number of months employed during the school year. Salaried employees will be paid in equal monthly or bimonthly payments, beginning with the first pay period of the school year. Employees that separate after the last day of instruction will continue to receive paychecks through the end of the summer.

## Paychecks

All professional and salaried employees are paid monthly. During the school year, paychecks are delivered to each campus. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. During summer breaks, paychecks will be mailed to the employees.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

The schedule of pay dates for the 2009-2010 school year follows:

September 25, 2009	March 25, 2010
October 23, 2009	April 23, 2010
November 24, 2009	May 25, 2010
December 18, 2009	June 25, 2010
January 25, 2010	July 23, 2010
February 25, 2010	August 25, 2010

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## Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. A notification period of thirty (30) days is necessary to activate this service. Contact Mrs. Sarah Harris, Payroll Clerk, 943-6711, for more information about the automatic payroll deposit service.

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## Payroll Deductions

### *Policy CFEA*

The district is required to make the following automatic payroll deductions:

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax
- Medicare tax (applicable only to employees hired after March 31, 1986)

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, vision, and life insurance; annuities; higher education savings plans; and savings deposits and loan payments through the Ward County Teachers' Credit Union. Employees also may request payroll deduction for payment of membership dues to professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

## **Overtime Compensation**

### *Policy DEA*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:01 AM Saturday and ends at midnight Friday.

Employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- ◆ Employees can accumulate up to 60 hours of comp time.
- ◆ Comp time must be used in the duty year that it is earned.
- ◆ Use of comp time may be at the employee's request with supervisor approval as workload permits, or at the supervisor's direction.
- ◆ An employee may be required to use comp time before using any other available paid leave (e.g., sick, personal, vacation).
- ◆ Weekly time sheets will be maintained on all nonexempt employees for the purpose of wage and salary administration.

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## **Travel Expense Reimbursement**

### *Policy DEE*

Before travel expenses are incurred by an employee, the employee's supervisor and the Superintendent must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. Employees must submit receipts, to the extent possible, to be reimbursed for expenses other than mileage.

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## **Health and Life Insurance**

### *Policy CRD*

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school health insurance program. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Employees eligible for health insurance coverage include the following:

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are regularly scheduled to work at least 10 hours per week.

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) and employees who are not contributing TRS members that are regularly scheduled to work less than 10 hours per week are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each spring. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact Mrs. Maria Fuentes, Insurance Clerk, 606 South Betty, Monahans, Texas, 943-6711, for more information.

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## **Supplemental Insurance Benefits**

### *Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs. Premiums for these programs can be paid by payroll deduction. Employees should contact Mrs. Maria Fuentes, Insurance Clerk, 606 South Betty, Monahans, Texas, 943-6711, for more information.

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## **Cafeteria Plan Benefits (Section 125)**

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., disability, accidental death and dismemberment, cancer and dread disease, dental and additional term life insurance). A third-party administrator handles employee claims made on these accounts.

New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis and during the specified time period.

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## **Workers' Compensation Insurance**

### *Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has worker's compensation coverage from Texas Association of School Boards, effective September 1, 2003. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case. All work-related accidents or injuries should be reported immediately to the campus principal. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' compensation benefits*, pg. 24 for information on use of paid leave for such absences.

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## **Unemployment Compensation Insurance**

### *Policy CRF*

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Mrs. Maria Fuentes, Insurance Clerk, 606 South Betty, Monahans, Texas, 943-6711.

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## **Teacher Retirement**

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). For new employees, there is a 91-day waiting period before TRS membership begins. Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are also eligible for TRS membership and to purchase a year of creditable service. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify Mrs. Sarah Harris, the payroll clerk, as soon as possible. Information on the application procedures for TRS benefits is available at the Administration Building, 606 South Betty, Monahans, Texas. Additional inquiries should be addressed to: Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS

information is also available on the Web ([www.trs.state.tx.us](http://www.trs.state.tx.us)). See pages 8-9 for information on restrictions of employment of retirees in Texas public schools.

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### **Other Benefit Programs**

May be viewed on the online district policy available under the title button on the administrative section of the district website.

<http://www.mwpisd.esc18.net/administration/>

## LEAVES AND ABSENCES

*Policy DEC, DECA, DECB*

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than 5 days should call the Superintendent, 606 South Betty, Monahans, Texas, 943-6711, for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

Leave is available for the employee's use. However state personal and local sick leave is earned. If an employee leaves the district before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck.

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form. Any employee who is absent for more than **five consecutive workdays** because of personal illness or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and in the case of personal illness – the employee's fitness to return to work.

Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

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### **Personal Leave**

State law entitles all employees to five days of paid personal leave per year. Personal leave is earned at a rate of one-half workday per month. A day of earned personal leave is equivalent to an assigned workday. state personal leave accumulates without limit, is transferable to other Texas school districts and generally transfers to education service centers. There are two types of personal leave: nondiscretionary and discretionary.

***Nondiscretionary:*** Leave that is taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little if any advance planning and will be granted to employees in the same manner as state sick leave.

**Discretionary:** Leave that is taken at an employee's discretion and that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request three (3) days in advance of the anticipated absence to his or her principal or supervisor. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor. Additionally, the granting of discretionary leave will be decided based upon the following limitations:

Discretionary leave may not be taken on the following key days:

- The day before a school holiday,
  - The day after a school holiday,
  - Days scheduled for TAKS tests,
  - Days scheduled for end-of-semester or end-of-year exams; or
  - Professional or staff development days
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### **Sick Leave**

Previously accumulated state sick leave is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in five (5) day increments except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

Sick leave may be used for the following reasons only:

- Employee illness
  - Illness in the employee's immediate family
  - Family emergency (i.e., natural disasters or life-threatening situations)
  - Death in the immediate family
  - Active military service
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### **Local Leave**

All regularly employed persons shall earn a maximum of ten (10) equivalent workdays of local sick leave per school year, at a rate of one day per month.

Local sick leave shall accumulate to a maximum of 113 equivalent workdays and shall be taken with no loss of pay.

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## Family and Medical Leave (FMLA)—General Provisions

*The following text is from the federal notice, **Employee Rights and Responsibilities Under the Family and Medical Leave Act**. Specific information that the district has adopted to implement the FMLA follows this general notice.*

**Basic leave Entitlement.** FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job

**Military Family Leave Entitlements.** Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

**Benefits and Protections.** During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

**Eligibility Requirements.** Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

**Definition of Serious Health Condition.** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Use of Leave.** An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

**Substitution of Paid Leave for Unpaid Leave.** Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

**Employee Responsibilities.** Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

**Employer Responsibilities.** Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

**Unlawful Acts by Employers.** FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right protected under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

**Enforcement.** An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

*FMLA section 109 (29 U.S.C. § 2619) required FMLA covered employers to post the text of this notice.*

*Regulations 29 C.F.R. § 825.300 (a) may require additional disclosures.*

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

[www.wagehour.dol.gov](http://www.wagehour.dol.gov)

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## Local FMLA provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period.

- beginning on the first duty day of the school year
- from July 1 through June 30
- from January 1 through December 31
- measured backward from the date an employee uses FMLA leave
- measured forward from the date an individual employee's first FMLA leave begins

**Use of paid leave.** Family and medical leave runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The district will designate the leave as family and medical leave, if applicable, and notify the employee that accumulated leave will run concurrently.

**Combined leave for spouses.** A husband and wife who are both employed by the district are limited to a combined total of 12 weeks of FMLA leave to care for a parent

with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

**Intermittent leave.** When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

**District contact.** Employees that require FMLA leave or have questions should contact Maria Fuentes or Sarah Harris at 432-943-6711, for details on eligibility, requirements, and limitations.

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## Temporary disability leave

**Certified employees.** Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days. If disability leave is not approved, the employee must return to work or be subject to termination procedures.

If an employee is placed on temporary disability leave involuntarily, he or she has the right to request a hearing before the board of trustees. The employee may protest the action and present additional evidence of fitness to work.

When an employee is ready to return to work, should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Professional employees returning from leave will be reinstated to the school to which they were previously assigned as soon as an appropriate position is available. If a position is not available before the end of the school year, professional employees will be reinstated at the beginning of the following school year.

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## **Workers' compensation benefits**

An employee absent from duty because of a job-related illness or injury may be eligible for workers' compensation weekly income benefits if the absence exceeds seven calendar days.

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use available, partial-day increments of sick leave or any other paid leave benefits to make up the difference between wage benefits and pre-injury or – illness wages. While an employee is receiving workers' compensation wage benefits, the district will charge available leave proportionately so that the employee receives an amount equal to the employee's regular salary.

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## **Assault leave**

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

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## **Bereavement leave**

Use of state leave and/or local sick leave for death in the immediate family shall not exceed five (5) workdays per occurrence, subject to the approval of the District.

In case of death of a relative of the second degree, a regular employee shall be limited to not more than three (3\_) days for each occurrence, which shall be deducted from local sick leave.

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## **Jury duty**

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and shall be allowed any compensation they receive.

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## **Other court appearances**

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Employees may be required to submit documentation of their need for leave for court appearances.

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## **Military leave**

**Paid leave for military service.** Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve component of the United States Armed Forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days each federal fiscal year (October 1–September 30). In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after military leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their

obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment to the Office of the Superintendent.

**Continuation of health insurance.** Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the Office of the Superintendent for details on eligibility, requirements, and limitations.

## **EMPLOYEE RELATIONS AND COMMUNICATIONS**

### **Employee Recognition and Appreciation**

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, and through special events and activities.

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### **District Communications**

Throughout the school year, the district and campus offices publish newsletters, brochures, fliers, calendars, news releases, and other communication materials. Additionally, the district utilizes local cable television channel 11 and the web site <http://www.mwpisd.esc18.net> for additional information concerning the school district. These publications offer employees and the community information pertaining to school activities and achievements.

## COMPLAINTS AND GRIEVANCES

### *Policy DGBA*

In an effort to hear and resolve employee complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly grievance process. Employees are encouraged to discuss concerns or complaints with their supervisors or an appropriate administrator at any time.

The formal grievance process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees.

For ease of reference, the district's policy concerning the process of bringing concerns and complaints is reprinted as follows:

<http://www.mwpisd.esc18.net> (Click on the Administration button followed by the Policy button.)

# EMPLOYEE CONDUCT AND WELFARE

## Standards of Conduct

### *Policy DH*

All employees are expected to work together in a cooperative spirit to serve the best interests of the district and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- ◆ Recognize and respect the rights and property of students, parents, other employees, and members of the community.
- ◆ Maintain confidentiality in all matters relating to students and coworkers.
- ◆ Report to work according to the assigned schedule.
- ◆ Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- ◆ Know and comply with department and district policies and procedures.
- ◆ Express concerns, complaints, or criticism through appropriate channels.
- ◆ Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- ◆ Use district time, funds, and property for authorized district business and activities only.
- ◆ The dress and grooming of district employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent.

All district employees should perform their duties in accordance with state and federal law, district policy and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day the superintendent first learns of the incident. See *Reports to the State Board for Educator Certification* for additional information.

The *Code of Ethics and Standard Practices for Texas Educators* adopted by the State Board for Educator Certification, which all district employees must adhere to, is reprinted following:

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## Code of Ethics and Standard Practices for Texas Educators

### Statement of Purpose:

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

### Professional Standards:

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

**Standard 1.1:** The educator shall not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.

**Standard 1.2:** The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

**Standard 1.3:** The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

**Standard 1.4:** The educator shall not use institutional or professional privileges for personal or partisan advantage.

**Standard 1.5:** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents, or other persons or organizations in recognition or appreciation of service.

**Standard 1.6:** The educator shall not falsify records, or direct or coerce others to do so.

**Standard 1.7:** The educator shall comply with state regulations, written local school board policies, and other applicable state and federal laws.

**Standard 1.8:** The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

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

**Standard 2.1:** The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

**Standard 2.2:** The educator shall not harm others by knowingly making false statements about a colleague or the school system.

**Standard 2.3:** The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

**Standard 2.4:** The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

**Standard 2.5:** The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, sex, disability, or family status.

**Standard 2.6:** The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

**Standard 2.7:** The educator shall not retaliate against any individual who has filed a complaint with the SBEC under this chapter.

## **3. Ethical Conduct toward Students**

**Standard 3.1:** The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

**Standard 3.2:** The educator shall not knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health, or safety.

**Standard 3.3:** The educator shall not deliberately or knowingly misrepresent facts regarding a student.

**Standard 3.4:** The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, sex, disability, national origin, religion or family status.

**Standard 3.5:** The educator shall not engage in physical mistreatment of a student.

**Standard 3.6:** The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student.

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

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## **Discrimination, harassment, and retaliation**

*Policies DH, DIA*

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons, including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action.

Employees who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal, supervisor, or district official is the subject of a complaint, the employee should report the complaint directly to the superintendent. A complaint against the superintendent may be made directly to the board.

The district's policy that includes definitions and procedures for reporting and investigating harassment *is provided to each employee during orientation each year and is located in the MWP-ISD Policy on Line available at the district website (<http://mwpsd.esc18.net>)*.

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## **Harassment of students**

*Policies DF, DH, FFG, FFH*

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment or abuse of a student will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities as required by law. See

*Reporting suspected child abuse ( pg. 33-34 in this handbook) for additional information.*

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is located in *FFH (Local) in the MWP-ISD Policy on Line* at this address: <http://www.mwpisd.esc18.net>.

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## **Alcohol and Drug-Abuse Prevention**

*Policies DH, DI*

Monahans-Wickett-Pyote ISD is committed to maintaining alcohol and drug-free environment and will not tolerate the use of illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug abuse and drug-free schools follows:

### ***DH (LOCAL)***

Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

### ***DI (EXHIBIT)***

#### **DRUG-FREE SCHOOLS REQUIREMENT**

The District prohibits the unlawful distribution, possession, or use of illegal drugs, inhalants and alcohol on school premises or as part of any of the District's activities.

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution. [See policies at DH and DHE] *41 U.S.C. 702 (a)(1)(A); 28 TAC 169.2*

Compliance with these requirements and prohibitions is mandatory and is a condition of employment.

[This notice complies with notice requirements imposed by the federal Drug-Free Schools and Communities Act Amendments of 1989 (20 U.S.C. 3224a and 34 CFR 86.201)]

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### **Reporting Suspected Child Abuse**

*Policies DF, DG, DH, FFG, GRA*

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g.: state agency operating, licensing, certifying or registering a facility) within 48 hours of the event that led to the suspicion. Abuse is defined by Texas Family Code and includes any sexual conduct involving an educator and a student or minor. Reports to Child Protective Services can be made to a local office or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to report suspected child abuse may result in prosecution for the commission of a Class B misdemeanor. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the Educators Code of Ethics and Standard Practices for Texas Educators.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agencies. In addition, employees must cooperate with child abuse and neglect investigators. Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a

parent or school administrator against the desires of the duly authorized investigator is prohibited.

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## **Fraud and financial impropriety**

### *Policy CAA*

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety includes, but is not limited to, the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
  - Forgery or unauthorized alteration of a check, bank draft, or any other financial document
  - Misappropriation of funds, securities, supplies, or other district assets, including employee time
  - Impropriety in the handling of money or reporting of district financial transactions
  - Profiteering as a result of insider knowledge of district information of activities
  - Unauthorized disclosure of confidential or proprietary information of outside parties
  - Unauthorized disclosure of investment activities engaged in or contemplated by the district
  - Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district
  - Destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
  - Failing to provide financial records required by state or local entities
  - Failure to disclose conflicts of interest as required by policy
  - Any other dishonest act regarding the finances of the district
- 

## **Conflict of Interest**

### *Policies BBFA, DBD*

Employees are required to disclose to their supervisor any situation that creates a potential conflict of interest with proper discharge of assigned duties and responsibilities or creates a potential conflict of interest with the best interests of the district. This includes the following:

- A personal financial interest
- A business interest
- Any other obligation or relationship
- Nonschool employment

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## **Gifts and favors**

### *Policy DBD*

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials, such as maps or worksheets that convey information to students or contribute to the learning process.

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## **Associations and Political Activities**

### *Policy DGA*

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Use of district resources, including work time, for political activities is prohibited.

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## **Safety**

### *Policy CK*

The district has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve district equipment, employees must comply with the following requirements:

- Observe all safety rules
- Keep work areas clean and orderly at all times
- Immediately report all accidents to their supervisor
- Operate only equipment or machines for which they have training and authorization

Employees with questions or concerns relating to safety programs and issues can contact the campus principal or immediate supervisor.

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## **Tobacco Use**

*Policies DH, GKA, FNCD*

State law prohibits smoking or using tobacco products on all district-owned property and at school-related or school-sanctioned activities, on or off campus. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

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## **Criminal history background checks**

*Policy DBAA*

Employees may be subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on certain employees and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the district and SBEC with access of an employee's current national criminal history and updates to the employee's subsequent criminal history.

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## **Employee Arrests and Convictions**

*Policy DH*

An employee must notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, any offense involving moral turpitude, and any of the other offenses listed below:

- Crimes involving school property or funds
- Crimes involving attempt by fraudulent or unauthorized means to obtain a position as an educator
- Crimes that occur wholly or in part on school property or at a school-sponsored activity
- Crimes involving moral turpitude

Moral turpitude includes the following:

- Dishonesty
- Fraud
- Deceit

- Theft
  - Misrepresentation
  - Deliberate violence
  - Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
  - Drug- or alcohol-related offenses
  - Acts constituting abuse or neglect under the Texas Family Code
- 

### **Possession of Firearms and Weapons**

*Policies FNCG, GKA*

Employees, visitors, and students are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises (i.e. building or portion of a building) or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisors or call the Superintendent immediately.

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### **Visitors in the Workplace**

*Policy GKC*

All visitors are expected to enter any district facility through the main entrance and sign in or report to the building's main office. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on the district premises should immediately direct him or her to the building office or contact the administrator in charge.

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### **Copyrighted Materials**

*Policy EFE*

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc). Rented videotapes are to be used in the classroom for educational purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

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## **Computer Use and Data Management**

### *Policy CQ*

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

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

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

Employees who are authorized to use the systems are required to abide by the provisions of the district's communications systems policy and administrative procedures. Failure to do so can result in suspension or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact Mrs. Nancy Upchurch, Technology Director, 606 South Betty, Monahans, Texas, 943-6711.

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## **Asbestos Management Plan**

### *Policy CKA*

The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each piece of district property. A copy of the district's management plan is kept in the Office of the Superintendent and is available for inspection during normal business hours.

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## **Pest Control Treatment**

### *Policy DI, CLB*

Employees are prohibited from applying any pesticides or herbicide without appropriate training and prior approval of the integrated pest management (IMP) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the district's integrated pest management program.

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in the main office of the

campus. Pest control information sheets are available from campus principals or facility managers upon request.

# GENERAL PROCEDURES

## **Bad Weather Closing**

The district may close schools because of bad weather or emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late or to release students early, the following radio and television stations and website will be notified by school officials:

KCKM, radio station, 1330 AM  
KMID, television station, channel 2  
KWES, television station, channel 9  
KOSA, channel 7  
Local cable, local television stations, channels 3 and 11  
District website; [www.mwpisd.esc18.net](http://www.mwpisd.esc18.net)

---

## **Emergencies**

### *Policy CKC*

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

---

## **Purchasing Procedures**

### *Policy CH*

All requests for purchases must be submitted to the business office on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact the campus principal for additional information on purchasing procedures.

## **Name and Address Changes**

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

---

## **Personnel Records**

*Policy GBA*

Most district records, including personnel records, are public information and must be released upon request. Employees may choose to have the following personal information withheld:

- Address
- Phone number
- Social Security number
- Information that reveals whether they have family members

The choice to not allow public access to this information may be done at any time by submitting a written request to the Personnel Office, 606 South Betty, Monahans, Texas, 943-6711. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public.

---

## **Building Use**

*Policies DGA, GKD*

The campus principal is responsible for scheduling the use of facilities after school hours. Employees wishing to use the district facilities after school hours must follow established procedure for each building. Contact the campus administrator to request to use school facilities and to obtain information on the fees charged.

## TERMINATION OF EMPLOYMENT

### Resignations

*Policy DFE*

**Contract Employees:** Contract employees may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the Superintendent. Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without the consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The Superintendent will notify the SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in *Reports to the State Board for Educator Certification*, on page 43.

**Noncontract Employees:** Noncontract employees may resign their positions at any time. A written notice of resignation should be submitted to the Superintendent at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

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### Dismissal or Nonrenewal of Contract Employees

*Policies DFAA, DFAB, DFBA, DFBB, DFCA, DFD, DFF*

Employees on probationary, term, and continuing contracts can be dismissed during the school year or nonrenewed at the end of the year according to the procedures outlined in district policies. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The time lines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or whose certification is revoked for misconduct. Information on the time lines and procedures can be found in the DF policies that are provided to employees or in the policy manuals located in the principal's office.

## **Dismissal of Noncontract Employees**

### *Policy DCD*

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, religion, sex, national origin, disability, military status, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, pages 27.)

---

## **Exit Interviews and Procedures**

### *Policy DC*

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience.

All district keys, books, property, and equipment must be returned upon separation from employment.

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

### *Policy DF*

The dismissal or resignation of a certified employee will be reported to the SBEC when the Superintendent first learns about an alleged incident of conduct that involves the following:

- A reported criminal history
- Any form of sexual or physical abuse of a minor or any other illegal conduct with a student or a minor
- Soliciting or engaging in sexual conduct or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position
- Committing a crime on school property or at a school-sponsored event
- Violating assessment instrument security procedures.

---

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

The district is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance to the court and the individual receiving the support (Texas Family Code, Sections 8.210, 158.211). Notice of the following must be sent to the court and support recipient:

- Termination of employment not later than the seventh day after the date of termination
- Employee's last known address
- Name and address of the employee's new employer, if known

# STUDENT ISSUES

## **Equal Educational Opportunities**

*Policies FB, FFH*

The Monahans-Wickett-Pyote ISD does not discriminate on the basis of race, color, religion, national origin, gender, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination of students on any of the basis listed above should be directed to the Title IX Coordinator, Office of the Superintendent, 606 South Betty, Monahans, Texas, 943-6711.

---

## **Student Records**

*Policy FL*

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records.

The following people are the only people who have general access to a student's records:

- ◆ Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- ◆ The student (if 18 or older or emancipated by a court)
- ◆ School officials with legitimate educational interests

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal for assistance.

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## **Parent and Student Complaints**

### *Policy FNG*

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the board has adopted orderly processes for handling complaints on different issues. Any campus office or the Superintendent's office can provide parents and students with information on filing a complaint.

Parents are encouraged to discuss problems or complaints with the teachers or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

---

## **Administering Medication to Students**

### *Policy FFAC*

Only designated employees can administer medication to students. A student who must take prescription medication during the school day must bring a written request from his or her parent and the medicine, in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

---

## **Dietary Supplements**

### *Policies DH, FFAC*

District employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her school district duties. In addition, employees may not knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

---

## **Psychotropic Drugs**

### *Policy FFAC*

A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication. It is intended to have an altering effect of

perception, emotion, or behavior and is commonly described as a mood- or behavior-altering substance.

District employees are prohibited from doing the following:

- Recommending that a student use a psychotropic drug
- Suggesting a particular diagnosis
- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student.

---

## **Student Discipline**

*Policies in the FN series and FO series*

Students are expected to follow the classroom rules, campus rules, and rules listed in the Student Code of Conduct and Student Handbook. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by the district. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or campus principal.

---

## **Student Attendance**

*Policy FEB*

Teachers and staff should be familiar with the district's policy and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, the student, upon returning to school, must bring a note signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

---

## **Bullying**

*Policy FFI*

All employees are required to report student complaints of bullying to the building administrators. The district's policy that includes definitions and procedures for reporting and investigating bullying of students is available at the following link:

<http://www.mwpisd.esc18.net/>

Click on "Administration" button; click on "MWP-ISD Policy", enter policy FFI in the search box.

---

## **Hazing**

### *Policies FNCC*

Students must have prior approval from the principal or designee for any type of “initiation rites” of a school club or organization. While most initiation rites are permissible, engaging in or permitting “hazing” is a criminal offense. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing, or has engaged in hazing must report that fact or suspicion to the designated campus discipline person.

# APPENDIX

How to access the website:

- Enter <http://mwpsid.esc18.net/> in your browser window
- Opens to the home page for Monahans-Wickett-Pyote ISD website

From the website there is access to Policy On-Line, the **2009-2010 Employee Handbook**, and all district and campus reports. There is also a copy of the discipline code. Follow these steps:

- Open the home page for MWP-ISD
- Locate the white *Administration* button on the left side of the screen
- Click this button to open *Administration*

From this site you may access all of the reports and policies listed in the Handbook

**Policies addressed in the Employee Handbook for term contract employees include (but are not limited to) the following:**

\*DAA—Equal employment opportunity

DBAA—Criminal History Check

DBD—Conflict of interest

DC—Employment practices

DCB—Term contracts

DEA—Salaries and wages

DEAA—Stipends and incentives

\*DEC—Leaves and absences

DFAC—Return to probationary status

DFB Series—Termination of term contracts

DFD—Hearings before hearing examiner

DFE—Resignations

DFF—Reduction in force

\*DGBA—Employee complaints/grievances

DH—Employee standards of conduct

DHE—Searches and Drug/Alcohol testing

DI—Employee welfare

\*DIA—Freedom from discrimination, harassment, and retaliation

DK—Assignments and schedules

DN Series—Performance appraisal

\*Indicates a policy affected by Update 83.

The district provides **all employment policies** on line in the *Policy-On-Line* link listed above.

**Texas Education Code, Subtitle G. Safe Schools, Chapter 37. Discipline; Law and Order is on a link on the District Administration website.**

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**Employee Handbook Receipt  
Electronic Version  
2009-2010**

Name \_\_\_\_\_

Campus/Department \_\_\_\_\_

I hereby acknowledge understanding that the Monahans-Wickett-Pyote ISD Employee Handbook is posted at the MWPISD website at <http://mwpid.esc18.net> (Links are posted below). I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

The information in this handbook is subject to change. I understand that changes in the district policies may supersede, modify, or eliminate the information summarized in this booklet. As the district provides updated policy information, I accept responsibility for reading and abiding by the changes.

I understand that no modifications to contractual relationships or alterations of at-will relationships are intended by this handbook.

I understand that I have an obligation to inform my supervisor or department head of any changes in personal information, such as phone number, address, etc. I also accept responsibility for contacting my supervisor if I have questions or concerns or need further explanation.

---

Signature

Date

**NOTE:** This form must be signed and dated. Please return it to the campus office for filing. (Copy this form for your records.)

**Follow the links as listed:**

- 1. Go to the MWP-ISD website opening the Homepage.**
- 2. Go to Administration button and click on administrative site.**
- 3. Go to MWP-ISD Employee Handbook 2009-2010 button to open handbook.**
- 4. Go to selected sections or the Table of Contents buttons to access information.**

**Questions may be directed to any building principal or the Office of the Assistant Superintendent.**

*All Handbook Receipts must be signed, dated, and filed with the office on each campus. Each campus secretary must alphabetize and return all handbook receipts to the Office of the Assistant Superintendent. **Do not return to the administrative office until all receipts are accounted for from the campus.***

**Employee Handbook Receipt  
Hard Copy Version  
2009-2010**

Name \_\_\_\_\_

Campus/Department \_\_\_\_\_

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---

Signature

Date

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**Questions may be directed to any building principal or the Office of the Assistant Superintendent.**

**The campus administrator is responsible for seeing that a copy of the Employee Handbook is provided for this employee.**

*All Handbook Receipts must be signed, dated, and filed with the office on each campus. Each campus secretary must alphabetize and return all handbook receipts to the Office of the Assistant Superintendent. **Do not return** to the administrative office until all receipts are accounted for from the campus.*

**Employee Handbook Request  
Hard Copy Version  
2009-2010**

Name \_\_\_\_\_

Campus/Department \_\_\_\_\_

I am requesting a paper copy of the employee handbook for my personal use. I understand that I am required to follow the stipulations contained in the Employee Handbook Receipt.

---

Signature

Date

**NOTE:** This form must be signed and dated. Please return it to the campus office for filing. (Copy this form for your records.)

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