

**MANSFIELD INDEPENDENT SCHOOL  
DISTRICT**

**AUXILIARY**

**HANDBOOK**



**"IN SERVICE TO OUR SCHOOLS"**

**2011-12**

# MANSFIELD INDEPENDENT SCHOOL DISTRICT

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This booklet does not constitute an offer of employment or alter the fact that an at-will employment relationship may be terminated by either party at any time.

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# WELCOME TO THE MANSFIELD INDEPENDENT SCHOOL DISTRICT

On behalf of the Mansfield Board of Trustees and the administrative staff, welcome to the family of employees of the Mansfield Independent School District.

This booklet has been provided to acquaint you with the policies and procedures, which govern the performance of your duties and to explain what is expected of an employee of the MISD. As an employee of the District, you will find the booklet essential in helping you to function in an appropriate, professional manner, and it should prevent unpleasant experiences due to misinformation. It is required for you to read this information. Please pay special attention to the following:

- You will need to sign the acknowledgement receipt that you have read the Auxiliary Handbook. Return a copy to your supervisor.
- Mansfield ISD's Board Policy is located online at [www.mansfieldisd.org](http://www.mansfieldisd.org).
- If you need a printed copy of any section of the board policy and you do not have access to a computer, you may request that information from your supervisor, Human Resource Services, or any other employee who has access to a computer.
- The Auxiliary Handbook can be found online at [www.mansfieldisd.org](http://www.mansfieldisd.org).

For information on department policies, you can refer to Board Policy or the individual department handbook. If you work in these departments, the appropriate handbook will be furnished. If you have any questions or need any clarification, please contact your supervisor, Human Resource Services, or the Benefits Department.

We wish you well and hope that you will have a long and happy career with the Mansfield Independent School District.

This handbook, in and of itself, in no way implies a guarantee or contract of employment.
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**NOTE: Unless otherwise specified, the District unilaterally designates that employees will be paid on an annualized (12 month) basis in accordance with the District's payday schedule.**

**MANSFIELD INDEPENDENT SCHOOL DISTRICT  
ACKNOWLEDGEMENT OF HANDBOOK**

I hereby acknowledge access to or receipt of a copy of the Mansfield Independent School District Auxiliary Handbook. 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 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 this handbook, in and of itself, in no way implies a guarantee or contract of employment.

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 or Mansfield Human Resource Services if I have questions or concerns or need further explanation.

I understand that if I violate any procedures or rules I may face legal or disciplinary action according to applicable law or District/departmental policy.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (Print)

**THIS COPY TO REMAIN IN AUXILIARY HANDBOOK. THE COPY AT THE BACK OF THE BOOK TO BE SIGNED AND TURNED IN.**

## **EMPLOYMENT**

### **1. EQUAL OPPORTUNITY EMPLOYER (Policies DAA & DIA)**

The Mansfield Independent School District does not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. 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 for any of the reasons listed above should contact the Superintendent or Dr. Linda Chance, Associate Superintendent for Human Resources at 817-299-6305.

### **2. APPLICATION AND INTERVIEW**

Persons interested in applying for auxiliary positions with the MISD should contact the appropriate office or access the applications on-line at [www.mansfieldisd.org](http://www.mansfieldisd.org). All applicants must fill out an application form and may be interviewed.

After screening, applicants for positions shall be interviewed by the director/supervisor of the area wherein a job exists, and that director shall recommend the desired applicant for hiring to the Superintendent or his appropriate designee. The director shall notify the applicant selected after all paperwork is completed.

The MISD will examine the driving record of any employee whose duties require him/her to operate District vehicles. If the driving record of an employee whose job requires operating District vehicles is returned or becomes such that the employee exceeds the maximum allowable points as outlined by TEA for School Bus Drivers, or can no longer be covered by District insurance, the employee may be terminated.

Applications are kept and updated for one year. Each applicant is responsible for updating any information regarding name, change of address, telephone number, status, or any other pertinent information as long as he/she has an active application in the appropriate office.

Applicants shall further understand that any falsification of employment reports will disqualify the applicant from hiring or will result in termination of the applicant if hired.

### **3. SELECTION**

Applicants are employed on their own merit, based on their training, experience, and ability to meet the requirements of the available position. MISD is an Equal Opportunity Employer.

### **4. 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 law. 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)).

## **5. EMPLOYEE INSERVICE AND STAFF DEVELOPMENT**

All employees will be required to attend all inservice training, safety training, and/or staff development meetings.

## **6. DOCUMENTS FOR EMPLOYMENT**

The following documents are required for employment with the MISD:

- Employment Eligibility Verification (Form I-9) (Immigration and Naturalization Service) with copies of documents verifying eligibility, (i.e. Social Security Card, Driver's License, Birth Certificate, Green Card, Passport)

## **7. SEARCHES, ALCOHOL AND DRUG TESTING (Policy 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, including but not limited to canine 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, District owned computers, lockers, and private vehicles parked on District premises or work sites or used in District business. These sanctions (consistent with local, state, and federal law) will be up to and including termination of employment and referral for prosecution. A disciplinary sanction may include the completion of appropriate rehabilitation program.

## **8. 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 if their duties include driving a commercial motor vehicle.

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 otherwise 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 Superintendent's Secretary, at 817-299-6300.

#### **9. AT-WILL EMPLOYMENT, ASSIGNMENTS AND WORK SCHEDULES (Policy DK)**

All 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. The original assignment is made at the time of employment.

Maintenance, Transportation, Student Nutrition Services, Police, Custodial and Distribution Center working hours will be dictated by the requirements of the assignment and will be assigned by appropriate supervisor. Break periods within the normal working day will be 15 minutes in length.

#### **10. TRANSFERS/REASSIGNMENT (Policy DK)**

Employees can be transferred or reassigned by the Superintendent or his designee **at any time**.

#### **11. SAFETY AND REPORTING ACCIDENTS**

The elimination of unnecessary loss is a responsibility we all share. The conservation of Mansfield ISD's resources requires maximum effort by every employee for our benefit as well as for those we serve, the children of the Mansfield ISD.

Employee involved in an accident while on the job, or witness of accident, shall notify his/her immediate supervisor (if during regular working hours) as to the nature and medical care required. If the accident/injury requires medical attention, the employee shall be sent or taken to the hospital or personal doctor for medical care.

#### **12. IDENTIFICATION BADGES**

Employees will be photographed at the time of processing, and an ID card will be prepared for the employee's use at no cost to the employee. **All employees must wear their ID badges at all times during working hours**. Failure to wear the badge will result in disciplinary action. It should be clearly visible except in cases where the type of work does not permit the display. If the identification badge is lost or destroyed, the employee will go to the MISD Police Department to get a replacement. The identification badge must be returned upon termination of employment. Final paychecks may be held until the employee returns his/her badge.

#### **13. USE OF DISTRICT VEHICLES**

Use of District vehicles must be authorized by department head. MISD vehicles are to be used for **District business only**. Unauthorized use of a vehicle will result in disciplinary action or termination.

#### **14. OUTSIDE EMPLOYMENT**

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.

## **15. PERFORMANCE EVALUATION (Policy DN series)**

Evaluation of an employee's job performance is to be a continual 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. 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, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

## **16. PROMOTIONS**

Any supervisor or principal who has an opening will contact the appropriate administrator. The administrator will notify Human Resources who will post the opening on the MISD website ([www.mansfieldisd.org](http://www.mansfieldisd.org)).

Applicants, both from within the District and those from outside the District, may be interviewed and screened by the department director. After screening, applicants may be interviewed by the supervisor of the area wherein a job exists. The appropriate supervisor/director shall recommend the selected applicant for hiring to the Superintendent.

## **17. APPEARANCE & UNIFORMS**

Employees should remember that they represent both the Mansfield ISD and the department and often set an example for the students at the schools.

Maintenance, Operations, Distribution Center, Transportation Mechanics, Student Nutrition Services and Police personnel wear uniforms. The employee should wear a clean set of uniforms each day. The employee is responsible for the cleaning of the uniforms. An employee may purchase extra sets of uniforms from the MISD supplier.

All employees shall be fully dressed at all times. Working without shirts, shoes, etc. is not acceptable. Hair and beards shall be kept neat and clean at all times. Long hair will be maintained in such a fashion that it is not unsafe for the employee in their particular job assignment.

Appropriate safety/protective equipment must be worn at all times.

Failure to follow these policies will result in disciplinary action.

# **COMPENSATION AND BENEFITS**

## **1. SALARIES & PAY RAISES**

Employees are paid in accordance with administrative guidelines and an established pay structure. The District's pay plans are reviewed by the administration each year and adjusted as needed.

Increases must be budgeted and approved every year by the Board and are based on availability of funds. They go into effect September 1 of each school year. New employees, to be eligible for a salary increase if approved by the School Board for the

next school year, must be employed:

- 90 days before the end of the current year for 261-day employees
- before March 1 of the current year for other auxiliary employees

## **2. TIMECARDS/TIMESHEETS**

Employees whose jobs are subject to overtime pay regulations are given timecards on which to enter the daily time worked. These cards are to be properly filled out and must accurately reflect hours worked. No employee shall allow another employee to sign in or out or to punch his or her timecard. Cards are to be signed by the employee and supervisor at the end of the pay period. Any changes made to the timecard/timesheet must be approved and initialed by the supervisor. Any employee who falsifies a timesheet/timecard will be subject to dismissal.

## **3. PAYCHECKS**

All employees are paid monthly. During the school year, paychecks are delivered to each campus/ department. 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 if self-addressed stamped envelopes have been provided. If not, paychecks must be picked up at the Administration Building.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. The Payroll Department should be called if there are questions about payroll statements. Pay dates are on the 28<sup>th</sup> of each month or the day nearest if the 28<sup>th</sup> falls on a weekend. (Pay schedule can be found online.)

## **4. AUTOMATIC PAYROLL DEPOSIT**

The District offers employees automatic payroll deposit. Employees can have their paychecks electronically deposited into an account at any bank. Notification to Payroll must be made by the 15<sup>th</sup> of the month to activate this service. With automatic deposit, an employee's paycheck is immediately available on the pay date. Contact Payroll for more information about the automatic payroll deposit service.

## **5. PAYROLL DEDUCTIONS**

Automatic payroll deductions for the Texas Teacher Retirement System (TRS) and federal income tax are required for all full-time employees. Medicare tax deductions are required for all employees hired after March 31, 1986. Temporary and part-time employees who are not eligible for TRS membership must have 457 Deferred Compensation contributions deducted in lieu of Social Security contributions.

Other deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, cancer, and disability insurance; annuities; the Texas Tomorrow Fund; and savings and loan payments through the Educational Employees Credit union. Employees may also request payroll deductions for payment of membership dues to professional organizations and the United Way. Salary deductions are automatically made for unauthorized or unpaid leave.

## **6. OVERTIME COMPENSATION**

The District compensates overtime for nonexempt employees in accordance with federal

wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation.

Overtime is legally defined as all hours worked in excess of 40 hours weekly and is not measured by the day or by the employee's regular work schedule. Employees who must work beyond their normal schedule but less than 40 hours in the same work week will be compensated in straight-time pay for auxiliary employees or equivalent time off (compensatory time) for paraprofessional employees. Employees must work more than 40 total hours in a week to earn overtime compensation.

For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Monday and ends at 12:00 midnight Sunday. Overtime work is to be kept at a minimum. When necessary, overtime must be arranged and approved by the department manager ahead of time. Overtime is paid at the rate of 1-1/2 times the rate of the regular straight-time pay for all approved hours **physically worked in excess of forty (40) hours** per week.

## **7. HEALTH INSURANCE**

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school employee 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 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 August. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact the Employee Benefits Department for more information.

## **8. SUPPLEMENTAL INSURANCE BENEFITS**

- At their own expense, employees can enroll in supplemental insurance programs during open enrollment.
- Premiums for these programs will be paid by payroll deduction. Employees should contact the Employee Benefits Department for more information.
- Employees must work 20 hours per week to be eligible for supplemental insurance.
- Employees will be notified of the fall open enrollment.

Open enrollment is held in August for vision, dental, life, disability, cancer, pretax dollars for dependent care, and pretax dollars for medical reimbursement. Employees will be notified of the fall open enrollment.

## **9. CAFETERIA PLAN BENEFITS (SECTION 125)**

Employees working at least 20 hours per week are eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit during the first 30 days of employment. This plan enables eligible employees to pay certain insurance premiums on a pretax basis. It also provides for a flexible spending type of account for expenses paid for child/dependent care and certain medical bills. A third-party administrator handles employee claims made on these accounts.

## **10. WORKERS' COMPENSATION INSURANCE**

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's coverage is through Texas Mutual. Workers comp benefits pay for medical treatment and make up for part of the income lost while recovering. All work-related accidents or injuries must be reported immediately to the employee's supervisor. The supervisor will then report the injury to the Benefits Department. Employees who are unable to work due to a work-related injury must contact the Benefits Department immediately and will be notified of their rights and responsibilities under the Texas Labor Code.

## **11. UNEMPLOYMENT COMPENSATION INSURANCE**

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits under the Texas Unemployment Compensation Act. 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 the Benefits Department.

## **12. TERMINATING PAYROLL CHECKS**

MISD is not required to pay early when an employee terminates for any reason. The policy of this department is to pay all personnel at the next regular pay period.

After termination papers are presented to the Payroll Department, terminating personnel may pick up their checks from the appropriate supervisor or the Payroll Office. Deductions for uniforms, equipment, personnel badges, keys or other school property shall be deducted from the final paycheck if said items are not returned.

## **13. RETIREMENT**

All personnel employed on a regular basis for at least four and one half months are members of the Teacher Retirement System (TRS). TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31.

Employees who plan to retire under TRS should notify the Payroll Department as soon as possible. Information on the application procedures for TRS benefits is available in Payroll. Additional inquiries should be addressed to: Teacher Retirement System of Texas, 1000 Red River Street, Austin, Texas 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)).

## LEAVES AND ABSENCES

### *Policy DEC (Legal) & (Local)*

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 Employee Benefits Department at 817-299-6335 for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the District.

Employees who take an unpaid leave of absence may continue their insurance benefits at their own expense. The District's contribution for health care benefits for employees who qualify, under the Family/Medical Leave Act (FMLA), will be paid by the District for up to 12 weeks, as they were when they were working. The District does not make benefit contributions for employees who are on unpaid leave.

Employees must follow District and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form.

**Medical Certification:** Any employee who is absent more than 5 days because of a personal 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 must get a release to return to work from the Employee Benefits Department before going to their work site.

Any employee who is not physically at the work site must record his/her absence on an absence from duty form to be turned in at the end of the month. Failure to record an absence, or failure to record an absence correctly shall result in disciplinary action up to and including recommendation of termination.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

### 1. PERSONAL LEAVE

Every regularly employed person in the District will be given personal leave consisting of 5 state and 5 local days per year, and they shall be cumulative. Local leave is cumulative up to 30 days. There is no limit on the accumulation of state personal leave and is transferable to other Texas school districts and generally transfers to education service centers. Leave shall be recorded in whole workdays and half workdays only.

Definition of regularly employed employee - Any employee working on a regular basis

whether 2, 3, 4, 5, 6, 7, or 8 hours a day.

### Examples of How Personal Leave Is Earned

Three (3) hour regularly employed personnel receive ten (10) 3-hour days of personal leave.

Employee working for 40 days who worked three (3) hours a day and then was transferred to five (5) hours for the rest of the year will have earned two (2) 3-hour days personal leave for the 40 days and the other eight (8) days earned will be 5-hour days.

Employees **will not be allowed to take days before they have earned them**. The days are earned at 1/2-day state and 1/2 day local for every 18 days of employment **up to a maximum of 5 state and 5 local days each year**. Leave will not be earned when an employee is off on FMLA, workers compensation, or a leave of absence.

There are two types of personal leave: nondiscretionary and discretionary.

**Nondiscretionary.** Leave taken for personal or family illness, emergency, a death in the family, or active military service is considered nondiscretionary leave. This type of leave allows very little or no advance planning and will be granted to employees in the same manner as sick leave.

- An employee absent more than 5 consecutive workdays because of personal illness shall submit to the Benefits Department, before return to work, a medical certification of illness and of his or her fitness to return to work. Employee will then be given a release from the Benefits Department that is presented to the employee's campus/department before they can return to work.
- An employee absent more than 5 consecutive workdays because of illness in the immediate family shall present, upon return to work, medical certification of the family member's illness.

**Discretionary.** Leave taken at an employee's discretion that can be scheduled **in advance** is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a notice of the request 5 days in advance of the anticipated absence to his or her principal or supervisor. Discretionary personal leave will be granted on a first-come, first-served basis, with a maximum of 10 per cent of campus employees in each category permitted to be absent at the same time for discretionary personal leave, and will be subject to the following limitations:

- Discretionary leave may not last more than 3 consecutive workdays. **Any days above three shall be docked** at the employee's daily rate of pay except in extenuating circumstances as determined by the Superintendent.
- Discretionary leave may not be taken on the first day or last day of school or the day before or after a school holiday. An employee shall be docked the daily rate of pay for leave on these days.
- Discretionary leave may not be used to extend days out before or after break or holidays. An employee will be docked the daily rate of pay for leave taken on these days.

Discretionary personal leave shall be considered granted unless the principal or designee

notifies the employee to the contrary within 72 hours of receipt of the request.

**Sick Leave.** Sick leave can be used only in half-day and full-day increments. If an employee uses more sick leave than he or she has earned, the cost of unearned sick leave will be deducted from the employee's next paycheck. 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

Employees requesting personal sick leave the day before and/or after a scheduled holiday may be required to submit a doctor's statement to certify illness.

The term "immediate family" includes husband, wife, son, daughter, father, mother, brother, sister, grandchildren, grandparents, in-laws, and any persons who may be residing in the covered employee's household at the time of death for use of state sick leave. For FMLA benefits, the "immediate family" includes spouse, dependent child, father and mother.

### **OTHER ABSENCES**

Any other leaves granted or days of absence shall result in a deduction of the daily rate of pay for each day of absence, unless otherwise provided. [See DMD(Local)]

## **2. HOLIDAYS**

To be paid for holiday time off, an employee must work the last working day prior to a holiday period and the day following the holiday, unless on paid vacation. Holiday pay is granted based on compliance with the procedure below.

Holiday pay is not earned and prorated, as is personal leave or vacation. Only employees who work 261 days receive holiday pay. These employees normally receive pay for: two (2) days for Thanksgiving and three (3) days for Christmas. Employees receive one (1) day each for Memorial Day, Independence Day, Labor Day, New Years and Martin Luther King for a total of ten (10) days.

## **3. VACATION**

Vacation days for verified twelve (12) month 261-day auxiliary employees, forty (40) hours per week, will be earned at a rate of one (1) day per month for years 0-10 not to exceed ten (10) days per year. Method of Recording: If hired from the 1st to the 15th of the month, one (1) day will be earned. If hired from the 16th to the end of the month, half (1/2) day will be earned.

Beginning with the 1997-98 school year, upon completion of ten (10) consecutive years of service with the District, verified twelve (12) month auxiliary employees, forty (40) hours per week, will earn vacation days at the rate of 1.25 days per month not to exceed fifteen (15) days per year. The additional 5 days will not be added until September 1 of the next school year.

A break of employment of six (6) months will cancel all creditable experience prior to the break in service. Exceptions: military service, workers' compensation.

Simultaneous employment (working two positions) will not count for more than the equivalent of one full time employment.

Time during which an employee is not **physically at work** due to personal medical leave beyond accrued personal leave days or time during which the employee is on workers' compensation beyond accrued personal leave days **does not count** toward accumulation of vacation days.

An employee who resigns or is dismissed from the District before completing ten (10) months of employment with the District will **not** be paid any earned vacation. Any accrued vacation taken by an employee who has not worked ten (10) months will be deducted from the employee's last paycheck.

Vacation Scheduling: Earned vacation time may be approved in periods of one (1) day or more when such vacation will not interfere with the needs of the department or such vacation is necessary to meet an emergency.

All accrued vacations must be used by December 31 of the following year, unless approved by administration.

#### **4. SICK LEAVE BANK**

The District will establish a sick leave bank governed by a Board of District employees with representation from all employee groups. (See guidelines for the Sick Leave Bank online at [www.mansfieldisd.org](http://www.mansfieldisd.org).)

#### **5. FAMILY MEDICAL LEAVE ACT (FMLA)**

Employees who have been employed by the District **for at least 12 months** and have worked at least 1,250 hours in the 12 months immediately preceding the need for leave are eligible for family and medical leave. Eligible employees can take up to 12 weeks of unpaid leave each year between September 1 and August 31 for the following reasons:

- The birth, adoption, or foster placement of a child
- To care for a spouse, parent, or child with a serious health condition
- An employee's serious health condition
- A qualifying exigency resulting from active military service of a spouse, child, or parent

A husband and wife who are both employed by the District are subject to limits in the amount of leave that they can take to care for a parent with a serious health condition; for the birth, adoption, or foster placement of a child; or to care for a covered military service member.

**Military service family leave.** An eligible employee is entitled to leave to care for an active duty military service member who incurs a serious illness or injury in the line of duty. The service member must be the employee's spouse, child, parent, or next of kin. An eligible employee may take up to 26 weeks on a one-time basis to provide care to a covered service member.

**Continuation of benefits and job restoration.** Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave. Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

**Use of paid leave.** Family and medical leave runs concurrently with accrued sick and personal leave, temporary disability 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.

**Intermittent leave.** In some circumstances, employees may take family and medical leave in blocks of time or by reducing their normal weekly or daily work schedule. Intermittent leave may be taken under the following circumstances:

- An employee is needed to care for a seriously ill spouse, child, or parent
- An employee requires medical treatment for a serious illness
- An employee is seriously ill and unable to work
- An employee becomes a parent or has a foster child placed in his or her home

**Requests for FML.** When the need for family and medical leave is foreseeable, employees must provide 30 days advance notice to the District. When the need for leave is not foreseeable, employees must contact the Benefits Department as soon as possible. Employees will be required to provide the following:

- Medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member
- Second or third medical opinions and periodic recertification of the need for leave
- Periodic reports during the leave regarding the employee's status and intent to return to work
- Medical certification from a qualified health care provider at the conclusion of leave of an employee's ability to return to work
- Certification of the need for family military leave

Employees requiring family and medical leave should contact the Benefits Department for details on eligibility, requirements, and limitations.

## **6. LEAVE OF ABSENCE**

By special permission, if requested and approved, the MISD will grant limited leave of absence for:

- Military Service - while assigned to active duty/with orders
- Medical Leave – 45 calendar days if an employee who does not qualify for FMLA leave requests the medical leave in writing and it is approved.

- Family/Medical Leave Act (FMLA) – 12 weeks if an employee qualifies.

All **requests** for a leave of absence will be **submitted in writing** before the leave through the appropriate supervisor **to the Assistant Superintendent of Human Resources**. An employee on a leave of absence is not eligible to withdraw funds from the Teacher Retirement System. A leave of absence, if granted, shall be granted without pay unless the employee has days to cover the absence. This time off from work **will not** count toward accruing sick leave, vacation days, or retirement.

## 7. 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 (7) calendar days. Such protection applies only to injuries arising out of and in the course and scope of the employment.

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use accumulated sick leave or any other paid leave benefits. An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or pre-injury wage. If the use of paid leave is not elected, then the employee will only receive workers' compensation wage benefits for any absence resulting from a work-related illness or injury, which may not equal his or her pre-illness or injury wage.

Benefit payments may be delayed if the doctor fails to make prompt and regular reports to the Benefits Department. To establish evidence of eligibility to receive benefits under the Workers' Compensation Act, a staff member must comply with the following procedures:

- Personnel injured or involved in an on-the-job accident must report the injury and/or the accident to his/her supervisor **immediately**.
- Employees absent from work two (2) or more days due to a work related injury must have a doctor's release statement and approval from Employee Benefits Department before returning to work.
- If the employee injured is unable to report the injury, he/she shall have someone report for him/her to the supervisor. This does not relinquish the responsibilities of the injured employee to report to the supervisor as soon as possible.
- The employee shall choose a treating physician from the Texas Star Network of doctors. The list is located at [www.texasmutual.com](http://www.texasmutual.com) or call 800-381-8067.
- **During any period of disability, it will be the responsibility of the employee to call the Employee Benefits Department weekly to report the employee's work status and to relay medical information which is pertinent to his/her case.** Each time the employee goes to the doctor, it will be the employee's responsibility to bring or mail a copy of the attending doctor's statement to the Employee Benefits Office, MISD Administration Building, 605 E. Broad Street, Mansfield, Texas, 76063. Failure to

comply could affect benefits.

- An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use accumulated personal leave or any other paid leave benefits. **An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or – injury wage.** If the use of paid leave is not elected, then the employee will only receive workers' compensation wage benefits for any absences resulting from a work-related illness or injury, which may not equal to his or her pre-illness or injury wage.
- When the employee has exhausted all accumulated personal leave, the employee will be placed on an inactive list (leave without pay), at which time the employee's insurance will be termed through Mansfield ISD and Cobra will be offered if applicable.
- If an employee is inactive, the District may fill the position, based upon the immediate needs of the District except when an employee qualifies for the Family Medical Leave Act (FMLA). If on FMLA, the employee can be put on an inactive list after the FMLA expires.
- Once the employee receives documentation from his/her attending physician that he/she can return to work, the employee must submit the release to the Employee Benefits Department. If the employee has been placed on inactive status, the employee will be assigned to the most suitable job available at that job's pay grade.
- If an employee provides documentation from his/her attending physician that he/she can return to limited duty with restrictions, the employee must present the stipulated release to the Employee Benefits Department for approval. If employee is on inactive status and returns to a limited duty position, the employee will be paid at that job's pay rate.
- If the employee's position has been filled, the employee may apply for a position for which he/she is qualified. If the District offers the employee a comparable job after the employee has been released to return to work and the job assignment is refused, the employee will be terminated.

## 8. 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 non-responsible 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.

#### **9. BEREAVEMENT LEAVE**

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

Immediate family defined: For state sick leave purposes, the term "immediate family" shall include husband or wife; son, son-in-law, step-son, daughter, daughter-in-law, step-daughter, father, father-in-law, step-father, mother, mother-in-law, step-mother; brother, brother-in-law, step-brother, sister, sister-in-law, step-sister; grandparents; grandchildren; or any person who may be residing in the covered employee's household at the time of illness or death.

Non-family members: Employees shall be granted leave to attend the funeral of a person who is not covered under the immediate family for a period not to exceed three (3) days. The time away from the job will be deducted from the employee's pay or personal days used if available. Any days above three (3) will be at NO PAY.

#### **10. 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 to retain any compensation they receive.

#### **11. OTHER COURT APPEARANCES**

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use paid leave. Other absences for court appearances related to an employee's personal business must be taken as personal leave or leave without pay (if no personal leave is available). Employees may be required to submit documentation of their need for leave for court appearances.

#### **12. MILITARY LEAVE**

**Paid leave for military.** Any employee who is a member of the Texas National Guard, Texas State Guard, or reserves 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 order. 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 Human Resource Services within 90 days of discharge or separation.

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 Benefits Department for details on eligibility, requirements, and limitations.

## **EMPLOYEE RELATIONS AND COMMUNICATIONS**

### *Policy DJ*

#### **1. 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. Recognition and appreciation activities also include a yearly recognition banquet.

#### **2. DISTRICT COMMUNICATIONS**

Throughout the school year, the Communications Office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. 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 problems 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 grievance procedures are exhausted, employees can bring grievances to the Board of Trustees. **All forms to be used can be found online at [www.mansfieldisd.org](http://www.mansfieldisd.org).** Click on "School Board," then "Complaints/Grievances/Concerns."

## **EMPLOYEE CONDUCT AND WELFARE**

#### **1. DISCIPLINARY ACTION**

The goals of discipline are to remedy improper conduct on the part of an employee and to maintain an effective work force.

Employees who do not conform to the established rules of conduct or regulations shall be subject to corrective disciplinary action. Any disciplinary action should take place in a

private conference between the supervisor and employee. **Only** when an employee files a grievance is that employee entitled to have a representative present. An interpreter may be present any time the supervisor or the employee deems necessary.

## **FORMS OF CORRECTIVE DISCIPLINE**

Misconduct may be grounds for applying disciplinary measures as the circumstances warrant. Correction will be based on each individual case and its severity as to the type of discipline that might be used. Mansfield School District does not have progressive discipline. The types of discipline that could be used are listed below:

### **A. Verbal Warning**

- 1) A verbal warning may be given to an employee for misconduct as determined by the administrator or immediate supervisor.
- 2) A verbal warning shall serve as notice to the employee that the specific conduct in question is considered undesirable, shall be corrected, and shall not recur in the future.
- 3) Documentation shall be made of any verbal warning by the administrator or immediate supervisor.

### **B. Written Reprimand – Issuance**

- 1) A written reprimand may be issued for alleged misconduct or may serve as formal notice to the employee that he/she has breached designated responsibility.
- 2) The written reprimand form shall contain:
  - a) Date and time of occurrence/or knowledge of occurrence
  - b) Nature of the problem
  - c) Corrective action required
  - d) Result of failure to meet corrective action
  - e) Employee signature of receipt
- 3) A copy of the written reprimand shall be provided to the employee and the original copy placed in the employee's personnel file as a permanent record of the misconduct.

### **C. Suspension**

### **D. Termination**

- 1) Rationale: In order to maintain a good working environment, all employees are expected to conform to reasonable standards of performance and conduct. When an employee demonstrates an inability to maintain these standards, the department head or supervisor will take necessary corrective action. This action in all cases is directed toward resolving personal and work-related problems, which interfere with the employee's effectiveness. When reasonable efforts to correct employee deficiencies are exhausted, it is necessary that these persons be terminated.
- 2) Reasons for which an employee may be recommended for immediate termination include but are not limited to (See Policy DCD Series):
  - a) Conviction or a finding of guilty (deferred adjudication) at the trial court level for any felony or conviction or a finding of guilty (deferred adjudication) at the trial court level for any misdemeanor which is manifestly inconsistent with the safe

and efficient operation of the school or department - This includes but is not limited to any crime involving moral turpitude, or any crime disrupting the educational process.

- b) Fighting, threatening, or attempting to do bodily injury to an employee or student - Bodily injury means physical pain, illness or any impairment of physical condition.
- c) Carrying weapons - A weapon is any object that could cause injury to another person and is not required to be in the possession of that employee in the normal course of his/her job.
- d) Stealing or misappropriation of property of the MISD, its employees, or the students of the MISD.
- e) Unauthorized use of MISD vehicles and/or equipment.
- f) Malicious mischief - The abuse, misuse, or deliberate destruction or damaging of property, tools, or equipment of other employees or of the MISD.
- g) Altering or tampering with timecards, signing in/out rosters, or other reporting documents relative to attendance, promptness, or departures - This also includes time padding, which entails the expanding or increasing of time needlessly to complete an assigned task. Any incidence of altering or tampering with the above items will be forwarded to the appropriate authorities.
- h) Drinking alcoholic beverages on the job or during working hours; or the possession of, or introduction of, any alcoholic beverage on MISD property, including any vehicle, at any time - This also includes reporting to work while under the influence of alcohol.
- i) Use of narcotics, and/or the use, possession, or transmitting on District premises, including any vehicle, drugs or substances capable of modifying mood and/or behavior - This also includes the habitual use of addictive drugs, hallucinates, alcoholic beverages, or controlled substances.
- j) Smoking on District premises or vehicles.
- k) Insubordination – not carrying out reasonable requests of supervisory personnel.
- l) Disorderly, disruptive, or immoral conduct on District premises.
- m) Falsification of personnel or other official MISD or insurance records, or making false statements when applying for employment.
- n) Falsifying or refusing to give testimony concerning accidents involving District vehicles, or other accidents and/or incidents which are being investigated.
- o) Leaving work assignment without legitimate reason, permission of supervisor or proper relief during absence.
- p) Unexcused absence or excessive tardiness.
- q) Failure to notify immediate supervisor when unexpected absence or tardiness prevents the employee from reporting to work on schedule.
- r) Lack of courtesy to students, employees, parents, or guests.
- s) Personal phone calls – either outgoing or incoming – except in the case of emergency.
- t) Fraternizing with students is strictly prohibited (which does include dating, etc.).
- u) Misuse of leave policies.
- v) Violation of health or safety rules.
- w) Conducting personal business on duty time.
- x) Spreading malicious rumors or gossip
- y) For good cause as determined by the Superintendent.

## **2. 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.

## **3. 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 of a student by an employee or adult 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* for additional information.)

## **4. REPORTING SUSPECTED CHILD ABUSE (Policies DG, DH, FFG, GRA)**

All employees are required by state law to immediately 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 SBEC and includes the following acts or omissions:

- Mental or emotional injury to a student or minor that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Causing or permitting a student or minor to be in a situation in which the student or minor sustains a mental or emotional injury that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Physical injury that results in substantial harm to a student or minor, or the genuine threat of substantial harm from physical injury to the student or minor, including an injury that is a variance with the history or explanation given and excluding an accident or reasonable discipline; or
- Sexual conduct harmful to a student's or minor's mental, emotional, or physical welfare.

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 as a Class A 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 agency.

Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. 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.

## **5. PERSONAL USE OF ELECTRONIC MEDIA (Policy DH)**

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web sites (e.g. YouTube), editorial comments posted on the Internet, and social network sites (e.g. Facebook, MySpace, Twitter, LinkedIn), electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

As role models for the District's students, employees are responsible for their public conduct even when they are not acting as District employees. Employees will be held to the same professional standards in their use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use social network site or similar media for personal purpose, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for Web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic media for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the District's computers, network, or equipment,
- The employee shall not use the District's logo or other copyrighted material of the

District without express, written consent.

- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student records. [See Policy FL]
  - Confidentiality of health of personnel concerning colleagues, unless disclosure serves lawful professional purposes or is required by law, [See Policy DH (EXHIBIT)]
  - Confidentiality of District records, including educator evaluations and private e-mail addresses. [See Policy GBA]
  - Copyright law [See Policy EFE]
  - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

*See Use of Electronic Media with Students, below, for regulations on employee communication with students through electronic media.*

## **6. USE OF ELECTRONIC MEDIA WITH STUDENTS (Policy DH)**

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the District. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the District through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization.

The following definitions apply for the use of electronic media with students:

- Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). *Electronic media* also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.
- Communicate means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*; however, the employee may be subject to District regulation on personal electronic communications. See *Personal Use of Electronic Media, above*. Unsolicited contact from a student through electronic means is not a *communication*.

- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

## **7. 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 employees and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the District and SBEC with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

## **8. 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, and any of the other offenses listed below:

- Crimes involving school property or funds
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator
- Crimes that occur wholly or in part of 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

## **9. ALCOHOL AND DRUG-ABUSE PREVENTION (Policy DH, DI)**

Mansfield ISD is committed to maintaining an alcohol and drug-free environment and will not tolerate the use of alcohol and 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 on drug abuse (DH Local) and drug-free schools (DI Exhibit) can be found online at [www.mansfieldisd.org](http://www.mansfieldisd.org).

## **10. TOBACCO USE (Policies DH, GKA, FNCD)**

State law prohibits smoking or using tobacco products on all District-owned property. 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.

## **11. 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 requirement:

- 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 Risk Management at 817-299-6330.

## **12. 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 Mansfield ISD Police Department immediately. For a detailed list of illegal weapons, see Policy FNCG online at [www.mansfieldisd.org](http://www.mansfieldisd.org).

## **13. TELEPHONE USAGE**

Telephone lines must not be tied up with personal calls. Friends and relatives should be asked not to call unless the reason is an emergency. Personal long distance calls are prohibited. Use of a District telephone or personal cell phone during working hours for personal use may result in disciplinary action or termination.

## **14. LANGUAGE**

No employee shall at any time use obscene or suggestive language or obscene or suggestive gestures of any kind. Any employee found in violation will be subject to disciplinary action including termination.

## **15. CONDUCT**

Each employee is responsible for developing goodwill for the District through a courteous, cheerful, and helpful attitude. Proper care of plant facilities and equipment representing vast investments in the public school program by the general public is the responsibility of all school employees.

## **16. STUDENT CONTACT**

Employees shall limit conversations with students to specific information that would be required to perform their duties. No employee shall attempt to discipline or punish a student. The need for discipline shall be reported to the teacher or principal for action.

Employees shall refrain from physical contact with students at all times. No auxiliary employee shall allow any student into the building before or after school hours without the principal's written approval.

All parent complaints will be referred to the appropriate supervisor and/or principal and will be investigated.

## **17. 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 school. A copy of the District's management plan is kept in the District Administrative office and is available for inspection during normal business hours.

## **18. PEST CONTROL TREATMENT (Policies CLB, DI)**

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) 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 an area of common access. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written or electric means. Pest control information sheets are available from campus principals or facility managers upon request.

## **19. RADIO COMMUNICATION PROCEDURES**

All employees required to use any type of radio communication equipment will be given procedures, which must be followed. Failure to abide by the guidelines will result in disciplinary action and could result in termination.

## **20. MOTOR VEHICLE REPORTS (MVR)**

The District will examine the driving record of any employee whose duties require him/her to operate District vehicles. If the driving record of an employee whose job requires operating District vehicles is returned or becomes such that the employee exceeds the maximum allowable points, as outlined by TEA, for School Bus Drivers, or can no longer be covered by District insurance, the employee may be terminated.

## **21. TARDINESS OR EXCESSIVE ABSENTEEISM**

In determining whether an employee should be terminated due to excessive tardiness or absenteeism, the following definitions will apply:

- A. **Tardiness** – Employees are expected to be at work at their scheduled start time. An employee consistently arriving after the scheduled time could be considered tardy.
- B. **Excessive Absenteeism** - Any employee who has exhausted all leave and has any four (4) separate occurrences of absence (no pay) within a current school year will be considered excessive.

## **22. ABSENCE FROM WORK**

Employees who will be absent or late arriving to work **must** contact the appropriate department. Guidelines for reporting absences and late arrivals (who to contact and times to call, etc.) will be given by each department.

In case of prolonged absence due to sickness or injury, daily call procedures may be amended on the authorization of the employee's supervisor. Absence for three (3) consecutive days without notifying the designated department will justify immediate termination (no-call, no-show).

A doctor's release will be required and presented to the Benefits Department before returning to work for any absence of more than five (5) consecutive days. This doctor's statement must state "Full Duty - No Restrictions" or list required restrictions. The Mansfield ISD does reserve the right to check with the individual's doctor on an employee's work status and to determine if the employee can perform his/her assigned duties. An employee absent more than five (5) consecutive workdays because of illness in the immediate family shall present, upon return to work, medical certification of the family member's illness.

Any employee who has exhausted his/her sick leave will be required to have a conference with the supervisor in his/her department. During the conference, all the information and documentation on the absenteeism will be reviewed and a course of action will be determined.

Any employee's request for absence without pay will only be considered when **all** sick leave and accrued vacation days have been exhausted.

If an employee is sick or injured off the job, and has not been granted or is not eligible for a leave of absence and does not qualify for FML or FML is exhausted and the employee does not return to work after fifteen (15) days of full dock due to no leave available, the position will be posted and will be permanently filled (based on the immediate needs of the employee's department and the needs of the District). The employee will either be placed on inactive status or terminated from employment.

If the employee presents a doctor's statement stating "Full Duty - No Restrictions," he/she may return to duty when a job comes open or the employee is eligible for a vacancy existing in another department. Terminated employees will need to reapply. If during inactive status the employee presents a full release to work, the employee may be assigned to the most suitable job available at that job's pay scale.

If an employee appears to be having health difficulties in performing his/her job

assignment, the MISD may send such employee for a physical examination.

If the employee provides documentation from his/her personal physician that he/she can return to full duty, the MISD reserves the right to consult with another physician before allowing the return to work.

Failure to follow the above procedure will result in being dismissed from the MISD.

## **GENERAL PROCEDURES**

### **1. BAD WEATHER CLOSING**

The District may close schools for a full day or part of a day 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, to release students early, or to cancel school, District officials will post a notice on the District's Web site and notify the following radio and television stations:

KDFW – Ch. 4 KRLD – 1080 AM

KPLX – 99.5 FM

KXAS – Ch. 5 WBAP 820 AM

KVIL – 103.7 FM

WFAA – Ch. 8 KLIF – 1190 AM

KERA – 90.1 FM

KTVT – Ch. 11

### **2. WORK CANCELLATION DAY**

When school is dismissed by the Superintendent for bad weather or for any other reason, the following procedure will apply:

- Employees will not be required to work.
- **No compensation will be paid for cancelled workdays unless the employee wishes to claim a personal day or vacation in lieu of no pay.**
- Exception:
  - 1) Some employees may be called to work for extreme emergencies and shall receive appropriate compensation for hours worked. These employees will retain their earned sick leave or vacation days.
  - 2) Salaried personnel may also be called for emergencies.

### **3. EMERGENCIES (Policies CKC, CKD)**

All employees should be familiar with the safety procedures for responding to a medical emergency and the evacuation diagrams posted in their work areas. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all District buildings. Employees should know the location of these devices and procedures for their use.

### **4. NAME AND ADDRESS CHANGES**

It is important that employment records be kept up-to-date. Employees should notify Human Resource Services if there are any changes or corrections to their name, home address, home telephone number, emergency contact, or beneficiary. Forms to process a change in personal information can be obtained from the office at your campus, from Human Resource Services or online at [www.mansfieldisd.org](http://www.mansfieldisd.org).

## **TERMINATION OF EMPLOYMENT**

### **1. RESIGNATIONS**

An employee who resigns must give two (2) weeks advance notice to allow time to hire and train a replacement if wishing to be recommended for rehire. An employee who resigns before completing ten (10) months of employment with the District will not be paid any earned vacation. Any accrued vacation taken by the employee who has not worked ten (10) months will be deducted from the employee's last paycheck.

An employee who resigns must have an exit interview with the appropriate director to fill out the necessary forms (termination and TRS) and to turn in issued equipment, keys, badge and uniforms.

### **2. TERMINATION (DCD Series)**

At-will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the needs of the District. At-will employees who are dismissed shall receive pay through the end of the last day worked.



# **MISD Parking Rules and Guidelines**

## **Overview**

The operation of a motor vehicle on campus is a privilege granted by the Mansfield ISD Board of Trustees. Vehicles requiring a state license are classified as a motor vehicle including cars, trucks, mopeds and motorcycles. All vehicles driven on Mansfield ISD campuses are subject to all local and state traffic laws. A student or employee has full responsibility for the security and content of his or her vehicle. Students, faculty, staff and employees who operate or park a motor vehicle on a Mansfield ISD High School campus are required to have a valid parking permit decal properly affixed to the vehicle. The person to whom a parking permit is issued has a nontransferable decal.

The Mansfield ISD Police Department or their designee is given the responsibility of enforcing procedures that provide a safe campus environment for our students. To aid in this process, the MISD Police Officers are licensed by the State of Texas and are granted all the powers of a peace officer. The jurisdiction of these officers are both on and off school property within the boundaries of the Mansfield Independent School District. The jurisdiction of these officers may be extended to any school-sponsored event, which may take place outside the boundaries of MISD. Citations, arrest, and/or other legal action may be taken for any violation of federal law, state law, and/or city ordinances. According to the Texas Education Code section 37.102 (b) all laws regulating traffic on highways and streets apply to the operation of vehicles within school property. The following regulations and guidelines were established by the Mansfield ISD Board of Trustees in the effort to maintain a fair and impartial system for the enforcement of parking and traffic regulations on MISD school campuses.

The privilege of parking a vehicle on campus may be taken away from violations pertaining to inappropriate behavior or parking violations. Upon arriving at school, students must immediately vacate their cars and the parking lot and enter the school building. Students in the parking lot during the day without a pass will be subject to disciplinary action. Persons, including enrolled students of any school of this district, who are not authorized to be on school grounds after school hours, may be charged with trespass on school grounds in accordance with section 37.107 of the Education Code.

## **Parking Permits Required for Students & MISD Employees Parking on all High School Campuses**

A student or employee driving a motor vehicle or motorcycle to school must be a licensed driver and have the required liability insurance coverage with the name of the driver on the proof of insurance. The student or employee must register the motor vehicle and obtain a parking permit sticker from the Mansfield ISD Police Department. The parking permit must be affixed - by its own adhesive, to the registered vehicle. **Note: Students ARE NOT to park in Faculty (yellow striped parking spaces) or Visitor parking spaces that have signage indicating "Visitor" on pavement, curb and/or erected signage.** *Students are not permitted to use staff parking stickers or use staff parking spaces. Staff cannot park in "Visitor" or "Handicapped" parking spaces unless permitted to park in "Handicapped" spaces under State Law (see visitor parking).*

## **Purchase of Parking Permits**

Eligible students may purchase a parking permit decal for \$30.00. Students graduating at mid school year may apply for a \$15.00 refund with proof of graduation. Parking stickers for additional vehicles in the same household are \$5.00 per vehicle per school year. Employee parking permits are issued at no cost. Students and Employees will be required to complete a parking permit form, present a valid Texas driver's license, and present valid proof of liability insurance for the vehicle being registered. The student's driver's license and insurance must remain current at all times.

## **Place of Purchase**

For the convenience of the employees and students, parking permits will be issued during fall registration at all Mansfield ISD high schools. All parking permits will be issued through the Mansfield ISD Police Department. After registration, parking permits may be purchased at the Mansfield ISD Police Department, 1522 N. Walnut Creek Drive (directly behind the Brooks Wester Campus). The Mansfield ISD Police Department is open 24 hours a day, seven days a week.

## **Temporary Permits**

In special circumstances, temporary parking permits may be obtained from MISD police officers who are assigned to the high school campuses. The definition of "special circumstances" and the issuance of the temporary parking permit will be at the discretion of the MISD Police Department. Temporary permits may also be obtained at the MISD Police Department; open 24 hours a day, seven days a week. The hanger type temporary permits must be properly displayed with the printed side facing the front end of the vehicle on the interior rear view mirror where the permit can be read from outside the vehicle.

## **Replacement Permits**

In the event that a vehicle is stolen, wrecked, sold, or has the windshield replaced, the permit holder should immediately notify the MISD Police Department. We will issue replacement permits at the discretion of the department and may require proper documentation including the original parking permit, a letter from the insurance company, a police report or other related information. Replacement permits can only be obtained at the MISD Police Department. If a replacement permit is issued, a service charge of \$2 will be assessed.

## Designation of Parking Spaces

Parking spaces with white striping is designated for students parking. Parking spaces with yellow striping is for employee parking and students are not to park in those areas. Parking spaces for visitors will be designated on pavement, curb, and/or erected signage, indicating "Visitor".

## Visitor Parking

All visitors must park in areas designated specifically for visitors. A visitor is defined as a person(s) who has no official connection with the Mansfield ISD. A student or employee is not considered a visitor and may not park in a visitor's area, on class days between the hours of 7a.m. and 4p.m. no matter whose vehicle they are driving. All rules and guidelines must be followed by visitors.

- Page 1 of 2 - Adopted by the MISD School Board of Trustees, April 26, 2011-

## Fine Amounts

The fine amount for tickets issued by the Mansfield ISD Police Department will be a standard rate of \$30.00 per ticket for all parking infractions and are due within ten days of issuance. All other fines are set by the court having jurisdiction. **Payments can be made by cash or check only.**

## Vehicle Regulations

Violators may be issued traffic citations for moving violations and/or parking tickets for parking violations. Traffic citations will be filed through the court having jurisdiction as indicated on the issued citation.

### Parking lot regulations include, but not limited to:

- 15-MPH speed limit on campus at all times
- No parking in faculty, bus-loading zones, on sidewalks, in fire lanes or designated handicapped spaces
- No parking in visitor's parking area
- No parking without a permit
- No back-in or pull through parking (head in only)
- No parking in more than one parking space.
- Longer than normal or oversized vehicles may pull forward into the adjoining parking space ahead so that the rear of the vehicle is not extending into the traffic lane. A majority of the longer than normal or oversized vehicle must be in the parking space occupied by the rear of the vehicle.
- All vehicles must have the correct decal registered to that particular vehicle
- No loud sound system
- No display of obscene, indecent or offensive language or symbols written or affixed to the vehicle
- No parking off the pavement

## Immobilized (Booted) or Towing of Vehicles

The Mansfield ISD Police Department may impound or boot any vehicle being operated by a driver that has unpaid tickets (one or more) and proper disposition has not been made within 10 school days of any ticket issued. All fines and fees must be paid by 6:00 p.m. on the date the vehicle is immobilized or the vehicle will be towed. If a vehicle is immobilized or towed: (1) All previous tickets must be paid before the vehicle is released, (2) An immobilized (booted) removal fee of \$25.00 must be paid, and (3) The owner of the vehicle must pay all towing expenses.

The Mansfield ISD Police Department is not liable for any loss or damage resulting from a vehicle being immobilized or towed. The owner of a vehicle that has been immobilized will be responsible for any damages to the immobilizer caused by unauthorized removal or attempts at removal. Unauthorized removal of the immobilizer (boot) may result in criminal charges being filed. A certificate of release must be obtained from the MISD Police Department before a vehicle can be released back to the owner. Proof of insurance and a valid driver's license will be required to obtain a certificate of release.

## Revocation of Parking Permits

When a student is caught off campus or attempting to leave campus without the proper sticker/justification, policies are as follows:

First Offense: Loss of parking privileges for 9 weeks. Second Offense: Loss of parking privileges for one calendar year.

These consequences will be given to all students riding in a vehicle, not just the driver. If a student who is not of driving age is caught, their parking privileges will be suspended from the first date they would be able to park on campus. Parking stickers will be removed from the student's car following each offense. Students will be charged \$2.00 for a replacement sticker following the discipline period. It will be the responsibility of the student and their family to arrange for alternate transportation during the discipline period. MISD Bus Transportation is provided for those eligible. City police will be monitoring surrounding businesses and neighborhoods for students who are illegally parked, so it is not recommended to park off-site.

## Appeals

Parking tickets may be appealed by obtaining and completing an appeal form available at the Mansfield ISD Police Department, from a MISD Police Campus Officer, or the MISD website in the "forms" section. Appeals must be completed by the person responsible for driving the vehicle onto campus the day the parking ticket was issued and Appeal forms must be completed within ten (10) school days of issuance of the ticket. Appeal forms will not be accepted for tickets more than ten (10) school days past issuance. Appeals will only be accepted for circumstances which are not a clear violation of MISD Parking Rules and Guidelines.

### Display of Permits

The parking decal must be permanently affixed to the outside bottom left corner of the back window. If the vehicle does not have a rear window the permit may be placed on the back left side of the rear bumper. For motorcycles, the permit may be placed on the rear fender, where visible. The permit can only be displayed on the vehicle to which the permit is registered.

Any deviation from this policy may result in the permit being revoked and/or the vehicle being removed (towed). The improper displaying of a decal constitutes a parking violation. Affix parking permit (X) on bottom left corner of rear window or to an alternate location (X) on the left rear bumper. The permit must be displayed on the outside of the vehicle. Any person who obtains a parking permit agrees to surrender the permit to any MISD police officer immediately upon a request. Any person may file a written letter of appeal to the Chief of Police, after first surrendering the permit.



### Vehicles Subject to Search

Any vehicle entering MISD property is subject to search by school authorities. Such search includes all compartments and components thereof.

Open 24 Hours a Day  
7 days a Week

Mansfield ISD Police Department, 1522 North Walnut Creek Drive, Mansfield, Tx 76063  
(Located directly behind the Brooks Wester Middle School Campus)  
817-299-6000 – Open 24 hours a day, seven days a week.

Open 24 Hours a Day  
7 days a Week

### Ben Barber Student Schedule Stickers

**Schedule Stickers are required for all students attending Ben Barber, in addition to the assigned high school parking permits.**

All parking rules and regulations in effect for high school campuses apply to Ben Barber Career Technology Academy.

BBCTA Student Schedule stickers are free to students who attend classes at BBCTA during the school day.

For the convenience of students, the schedule stickers can be obtained during fall registration at all MISD High Schools; issued by the administrative office. After registration, schedule stickers may be obtained from the assistant principal's offices.

In the event that a vehicle is stolen, wrecked, sold or has the windshield replaced, the schedule sticker holder should immediately notify

the BBCTA assistant principal's office and a BBCTA replacement schedule sticker will be provided at the discretion of the assistant principal. Replacement schedule stickers can only be obtained from the BBCTA administrative office.

If a replacement student schedule sticker is issued, a service charge of \$2.00 will be assessed.

The BBCTA student schedule stickers must be permanently affixed to the inside bottom middle of the front window.

For motorcycles, the schedule sticker may be placed on the rear fender, where visible.

**MANSFIELD INDEPENDENT SCHOOL DISTRICT**

**ACKNOWLEDGEMENT OF HANDBOOK**

I hereby acknowledge access to or receipt of a copy of the Mansfield Independent School District Auxiliary Handbook. 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 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 this handbook, in and of itself, in no way implies a guarantee or contract of employment.

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 or Mansfield Human Resource Services if I have questions or concerns or need further explanation.

I understand that if I violate any procedures or rules I may face legal or disciplinary action according to applicable law or District/departmental policy.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (Print)

NOTE: Sign and date this receipt. Give it to your supervisor and make a copy for yourself.