



# TCSA Model Board Policy Series

Module 600: *Human Resources 2012*  
Charter Board Policy for  
University of Texas-University Charter School

## **Module 600: Human Resources 2012**

The Human Resources Module 600, is the sixth and final module of the Model Board Policies. The material included in this module provides a comprehensive summary of statutes and regulations that apply to charter schools, as well as specific model board policies designed to comply with these legal requirements. Other policy modules currently available include:

---

Module 100: Financial Operations

---

Module 200: Charter School Governance & Organization

---

Module 300: General School Operations

---

Module 400: Students

---

Module 500: Open Government

---

### **Legal Abbreviations Used In the TCSA Model Board Policy Series**

Atty. Gen. Op	Attorney General Opinion
C.F.R	Code of Federal Regulations
Tex. Admin. Code	Texas Administrative Code
Tex. Educ. Code	Texas Education Code
Tex. Gov't Code	Texas Government Code
Tex. Labor Code	Texas Labor Code
Tex. Loc. Gov't Code	Texas Local Government Code
U.S.C.A	United States Code Annotated

## 600.020 EQUAL OPPORTUNITY

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### **SECTION 1. Anti-Discrimination Policy**

UT-UCS employees shall not engage in discrimination or harassment motivated by race, color, religion, sex, disability, military service, or age directed toward other UT-UCS employees or students. A substantiated charge of discrimination and/or harassment shall result in disciplinary action. Retaliation against employees or students who report discrimination and/or harassment is strictly prohibited. Acts of retaliation may result in disciplinary action up to and including termination.

<http://www.policies.utexas.edu/policies/nondiscrimination-policy>

### **SECTION 2. Investigation**

Any allegations of discrimination or harassment of students or employees shall be investigated and addressed.

### **SECTION 3. Coordinators**

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. UT-UCS designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Melissa Ruffin  
Position: Director of Curriculum and Instruction  
Address: P.O. Box 7667, Austin, TX 78759  
Telephone: (512) 471-4864

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. UT-UCS designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Wendy Rollins  
Position: Principal/504 Coordinator  
Address: P.O. Box 7667, Austin, TX 78759  
Telephone: (512) 471-4864  
<http://www.policies.utexas.edu/policies/disability-accommodation-applicants-and-employees>

The Superintendent or designee shall serve as coordinator for purposes of the UT-UCS’s

compliance with all other discrimination laws.

#### **SECTION 4. Complaints**

The Coordinator shall be responsible for the investigation of discrimination complaints filed by employees and citizens. Complaints by UT-UCS employees regarding any type of alleged discrimination shall be made in accordance with the Nondiscrimination Policy of the University of Texas at Austin. All other complaints regarding any type of alleged discrimination shall be made in accordance with UT-UCS's complaint policy in Section 300.120.

<http://policies.utexas.edu/policies/nondiscrimination-policy>

## **600.040 DRUG-FREE WORKPLACE**

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### **SECTION 1. Drug-Free Policy**

UT-UCS is committed to maintaining a drug-free workplace and shall make a good faith effort to maintain such an environment. The unlawful manufacture, distribution, possession or use of a controlled substance in the workplace is strictly prohibited. In addition to any consequences established by law, violation of this policy may lead to disciplinary consequences up to and including termination.

### **SECTION 2. Drug-Free Awareness Program**

The Superintendent or designee shall establish a drug-free awareness program in accordance with federal law.

### **SECTION 3. Notification.**

Employees shall notify the Superintendent or designee of any conviction based on a drug statute violation that occurred in the workplace within five days of such a conviction. Within 10 days of such notification, or otherwise being notified, the Superintendent or designee shall notify applicable relevant federal granting agencies of the conviction. Within 30 days of such notification the Superintendent or designee shall take appropriate personnel action or require the employee to participate in a drug abuse assistance or rehabilitation program.

### **SECTION 4. Alcohol & Drug Testing**

Employees of UT-UCS are subject to the alcohol and drug testing policies of The University of Texas. <http://www.policies.utexas.edu/policies/manufacture-sale-possession-distribution-or-use-alcohol-or-illegal-drugs>

## 600.060 HIRING PRACTICES & CRIMINAL BACKGROUND CHECKS

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### SECTION 1. New Hires

Section 1.1. Compliance. The Superintendent or designee shall ensure compliance with the policy of The University of Texas and all applicable laws and regulations regarding hiring practices of new employees.

<http://www.policies.utexas.edu/policies/recruiting-procedures-non-teaching-personnel>

Section 1.2. Posting Job Vacancies. The Superintendent or designee shall ensure that job vacancies are posted with ample time and in various venues so that a broad pool of potentially strong applicants may apply for available positions.

### SECTION 2. Criminal Background Checks

<http://policies.utexas.edu/policies/criminal-background-checks>

In addition to any hiring requirements in the policy of The University of Texas, the Superintendent or designee shall ensure compliance with applicable laws and regulations regarding criminal background checks for charter school employees. Upon notification that an employee or prospective employee has engaged in an offense which legally prohibits that individual from employment at an open-enrollment charter school, the Superintendent or designee shall terminate, or not hire as applicable, that individual.

## 600.080 COMPENSATION

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### SECTION 1. Fair Labor Standards Act (FLSA) Compliance

Section 1.1. Designation of Work Week. For purposes of the FLSA and consistent with the policies of The University of Texas, the Board generally designates the 40 hour work-week for employees as Monday at 8:00 am through Friday at 5:00 pm. The Board authorizes the Superintendent to designate separate work weeks for specific school personnel such as, but not limited to, the school maintenance staff. <http://www.policies.utexas.edu/policies/work-schedule>

Section 1.2. Classification of Employees. The classification of employees as “exempt” or “nonexempt” shall be determined in accordance with the Fair Labor Standards Act (FLSA). <http://www.utexas.edu/hr/manager/comp/flsa.html>

Section 1.3. Permission Required to Work in Excess of 40 Hours Per Week. All employees, without regard to exempt or nonexempt status, may only work over 40 hours per week if they have received prior approval from their supervisor.

### SECTION 2. COMPENSATION PLANS FOR SCHOOL EMPLOYEES

UT-UCS complies with the salary structure and schedule of The University of Texas. The Superintendent shall administer the compensation plan in a manner consistent with all policies of The University of Texas and the annual budget adopted by the Board. UT-UCS personnel are not granted automatic pay increases based on length of employment or step but may receive pay increases based on reclassification, additional job duties, salary studies or other similar determinations by the Superintendent, subject to approval by the CEO.

**600.100 TRAINING: CAMPUS ADMINISTRATIVE OFFICERS & BUSINESS MANAGERS**

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

Pursuant to the UT-UCS charter, the Superintendent and all principals are required to maintain certification through the State Board for Educator Certification. Each campus administrative officer and business manager shall comply with and keep accurate records concerning his or her compliance with the commissioner of education rules governing training requirements for certified charter school employees. Copies of such records are also kept by the Superintendent or designee in the central administrative offices of UT-UCS.



## **600. 160 TEACHER CREDENTIALS & QUALIFICATIONS**

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### **SECTION 1. Compliance.**

The Superintendent or designee shall ensure that each teacher employed by the UT-UCS is properly credentialed and qualified as required by state and federal law. Further, the Superintendent or designee shall ensure that the appropriate notices are sent to parents concerning the credentials and qualifications of the student’s teachers.

### **SECTION 2. Local Requirements for Teaching Credentials and Qualifications**

In addition to the federal and state requirements, in accordance with the UT-UCS charter the Superintendent shall hire teachers with the following credentials and qualifications:

- a. State certification appropriate for the subject areas being taught by the teacher;  
and
- b. Additional certification requirements at the discretion of the Superintendent.

## 600.200 COMPLAINTS BY SCHOOL EMPLOYEES

Pursuant to a delegation amendment to the UT-UCS charter approved by the commissioner of education, the Advisory Board (“Board”) of UT-UCS recommends the following policy, which shall be effective on the date that the policy is approved by the Chief Executive Officer (“CEO”) of UT-UCS.

### **SECTION 1. Process for Employee Complaints**

Employees of UT-UCS who have a complaint about their terms or conditions of work are encouraged to resolve their concerns informally with their co-workers and/or supervisors at the lowest level possible. If the employee is not satisfied with the outcome of the informal resolution, then the employee may file a formal complaint in accordance with the grievance process set forth in the Grievance Policy of the University of Texas at Austin.

<http://www.policies.utexas.edu/policies/grievance-policy>