

CONSULTATION AGREEMENT
BETWEEN THE
AUSTIN INDEPENDENT SCHOOL DISTRICT
AND
EDUCATION AUSTIN

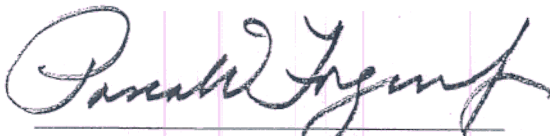
SUBJECT: CLASSIFIED EMPLOYEE TERMINATION APPEAL PROCESS

Pending approval from the Board of Trustees, the identified parties hereby agree that beginning school year 2008-2009 Board Policy DCD (LOCAL) shall read:

APPEAL

DCD (LOCAL)

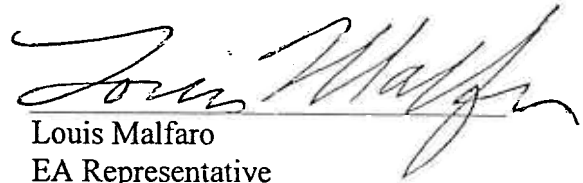
At-will employees eligible for health and life insurance, sick leave, and other standard employment benefits through the District who have been terminated may appeal such termination pursuant to Board Policy DCD (REGULATION). If an employee's termination is upheld during the appeal process pursuant to Board Policy DCD (REGULATION), the employee may file a grievance pursuant to Board Policy DGBA (LOCAL). Any grievance filed as a result of termination of employment will receive a jurisdictional referral to Level III (Superintendent or Designee).



Pascal D. Forgione, Jr., Ph.D.
AISD Representative

6/23/08

Date



Louis Malfaro
EA Representative

6/23/08

Date

EMPLOYMENT PRACTICES
AT-WILL EMPLOYMENT

DCD
(LOCAL)

	<p>Personnel employed on an at-will basis include but are not limited to all employees who serve on the District's classified employee pay scale.</p>
ASSIGNMENT AND EVALUATION	<p>The Superintendent or designee has sole authority to notify employees of assignments, compensation rates, and conditions of employment.</p> <p>Evaluation of at-will employees shall be conducted by the principal or supervisor in accordance with administrative procedures. [See DN]</p>
REASONABLE ASSURANCE OF EMPLOYMENT	<p>At-will employees in positions normally requiring less than 12 months of service annually and who are expected to report to work at the beginning of the following school session shall be provided a letter of reasonable assurance of employment. [See CRF]</p>
DISMISSAL	<p>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.</p>
APPEAL	<p><u>At-will employees eligible for health and life insurance, sick leave, and other standard employment benefits through the District who have been terminated may appeal such termination pursuant to Board Policy DCD (REGULATION). If an employee's termination is upheld during the appeal process pursuant to Board Policy DCD (REGULATION), THE EMPLOYEE MAY FILE A GRIEVANCE PURSUANT TO Board Policy DGBA (LOCAL). Any grievance filed as a result of termination of employment will receive a jurisdictional referral to Level III (Superintendent or Designee). An employee who has been terminated may request, in writing, an appeal of the termination to the Employee Relations Coordinator. This appeal must be filed within five workdays of the notification of termination. The appeal hearing will be heard by the Executive Director of Human Resources or designee within five workdays following receipt of the request of the appeal.</u></p> <p>Upon completion of the hearing, the Executive Director or designee will notify all parties of the final decision in writing within five workdays.</p>

The District practices a progressive disciplinary approach to performance problems of at-will employees in order to allow employees the opportunity to improve. However, sometimes after repeated efforts to work with an employee or after an egregious or unlawful incident, a supervisor recommends termination of the at-will employee. When a supervisor recommends termination of an at-will employee, the following steps will be followed:

Step One -- NOTIFICATION OF POTENTIAL TERMINATION: The Principal/Supervisor will notify the Associate Superintendent (or appropriate supervisor) and the Employee Relations Coordinator of the recommendation for termination. The supervisor will explain the situation(s) leading to the recommendation and describe the corrective interventions that have been used (if appropriate).

Step Two – REVIEW OF PROPOSED TERMINATION: The supervisor will provide the Employee Relations Coordinator copies of supporting documentation, including such items as: performance evaluations, completed corrective action forms, memorandum of concern, written directives, summary memos, meeting summaries, investigations reports, etc.

Step Three – MEETING WITH EMPLOYEE: The Principal/Supervisor and the Employee Relations Coordinator will meet with the employee to explain reasons for the performance concerns and to give the employee an opportunity to provide additional information for consideration. The employee may bring a representative to this meeting. Prior to the meeting, copies of the supporting documentation will be provided to the employee upon request. Following the meeting the Employee Relations Coordinator and the Principal/Supervisor will consider all of the information and make a recommendation for the individual's employment status. The Employee Relations Coordinator may determine that additional information or investigation is needed before making an employment decision.

Step Four – LEGAL REVIEW: The AISD Senior School Law Attorney will review the recommendation for termination, including all supporting documentation.

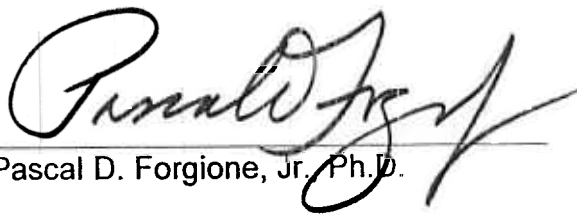
Step Five – APPROVAL OF THE TERMINATION: The Supervisor of Recruiting & Staffing will give the final approval for the termination recommendation.

Step Six – NOTIFICATION OF TERMINATION OF EMPLOYEE: The Employee Relations Coordinator will notify the employee of his/her termination, including information regarding the process for appeal of the termination to the Executive Director of Human Resources. Requests for appeal must be filed on the appeal form within five workdays of the notice of termination.

Step Seven – APPEAL HEARING: The Executive Director of Human Resources will schedule an appeal hearing within five workdays of receipt of the request for appeal. Following the appeal hearing the Executive Director of HR will render a decision in writing within five workdays. The employee may bring a representative to this meeting.

Step Eight – FILING A GRIEVANCE: If an employee's termination is upheld during the appeal hearing, the employee may file a grievance pursuant to Board Policy DGBA (LOCAL). Any grievance filed as a result of termination of employment will receive a jurisdictional referral to level III (Superintendent or Designee).

Approved:


Pascal D. Forgione, Jr., Ph.D.

Date:

