



WINDHAM SCHOOL
DISTRICT

NUMBER: OP-07.09 (rev. 1)
DATE: October 27, 2011
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SUPERSEDES: OP-07.09
November 20, 2003

OPERATING PROCEDURES

SUBJECT: HOURS OF DUTY

AUTHORITY: Texas Education Code § 19.009; Windham Board Policy (WBP)-03.02, “Windham School District Superintendent Responsibilities and Authority”; *Fair Labor Standards Act*

Reference: WBP-07.12, “Overtime Policy”; OP-07.13, “Employee Training and Staff Development”

APPLICABILITY: Windham School District (WSD)

EMPLOYMENT AT WILL CLAUSE:

These guidelines **do not** constitute an employment contract or a guarantee of continued employment. The WSD reserves the right to change the provisions of these guidelines at any time.

Nothing in these guidelines and procedures limits the superintendent’s authority to establish or revise human resources policy. These guidelines and procedures are adopted to guide the internal operations of the WSD and **do not** create any legally enforceable interest or limit the superintendent’s authority to terminate a noncontract employee at will.

POLICY:

This policy addresses the minimum hours of duty for WSD staff, breaks, and the number of required hours of activities on staff development days. Due to the varied working structures of different units within the Texas Department of Criminal Justice (TDCJ) Correctional Institutions Division, not all campuses begin and end school at the same time of day, nor do vocational and academic classes on the same unit necessarily begin and end classes at the same time. Also, school schedules are impacted by activities occurring on the unit and, occasionally, actual teaching time and preparation time may need to be adjusted. The principal shall coordinate with appropriate TDCJ officials to ensure that the unit schedule will accommodate school requirements.

PROCEDURES:

Teachers are scheduled to teach a minimum of 30 hours per week, six hours per day, and have a minimum of one hour of classroom preparation per day. In addition, teachers may be required to be present in the education area/classrooms during times of student movement prior to and after scheduled class times.

Staff shall periodically be available extra time for staff meetings, supervisor visits, or safety training. This extra time will be scheduled by the unit principal.

I. Minimum Hours

- A. Supervisory, administrative, and support staff assigned to either unit or central office duties are required to work at least eight hours per day or as scheduled by the superintendent.
- B. All nonexempt staff, such as administrative assistants, clerks, test examiners, support specialists, and classroom aides are required to work eight hours per day or 40 hours per week. The *Fair Labor Standards Act* prohibits nonexempt employees from working more than 40 hours per week without overtime compensation. The workweek is defined in WBP-07.12, "Overtime Policy" as Thursday through Wednesday.
- C. Emergency and other unusual circumstances caused by the prison environment may occasionally require that professional staff work beyond the required minimum hours. When this occurs on regular working days, no compensatory time is earned.

II. Employee Breaks

A. Administrative/Supervisor Breaks

Professional staff in WSD are not authorized to take regularly scheduled breaks.

B. Paraprofessional Breaks

At the discretion of the department head/principal, paraprofessional staff may take either a regularly scheduled break or breaks as needed. Scheduled breaks may not be authorized for more than 15 minutes in length, twice daily.

III. Planning and Staff Development Days

On unit choice staff development days, a minimum of six hours of staff development activities shall be planned for these days, excluding breaks (e.g., lunch). All staff are required to work the same number of hours as a regular work day.

Exceptions to these requirements may be granted by the director of the Division of

Operational Support for special circumstances.

* Signature on file
Veronica Casanova
Director, Division of Human Resources