



**WINDHAM SCHOOL  
DISTRICT**

**NUMBER: WBP-07.39 (rev. 3)**

**DATE: June 24, 2022**

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**SUPERSEDES: WBP-07.39 (rev. 2)  
November 30, 2012**

## **WINDHAM BOARD POLICY**

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**SUBJECT: AT-WILL EMPLOYMENT**

**AUTHORITY: Texas Educ. Code Chapter 19; *Maus v. National Living Centers, Inc.*, 633 S.W.2d 674 (Tex. App. – Austin 1982, writ ref'd n.r.e.)**

**APPLICABILITY: Windham School District (WSD)**

### **EMPLOYMENT AT-WILL CLAUSE:**

This policy does not constitute an employment contract or guarantee of continued employment and does not create a legally enforceable interest or limit the superintendent's authority to implement personnel policies. The WSD reserves the right to revise this policy at any time.

### **POLICY:**

WSD employees not employed with a professional educator contract are employed on an at-will basis. The superintendent or designee has the sole authority to employ and terminate at-will employees, in accordance with law and WSD policies.

WSD promotes equal employment opportunity through a selection system without regard to race, color, religion, sex (gender), national origin, age, disability, or genetic information. Additionally, WSD complies with applicable federal and state laws relating to employment and reemployment entitlements for prospective, current, or former members of the uniformed services.

### **PROCEDURES:**

#### **I. At-Will Employees**


At-will employees include employees in all positions not requiring professional educator contracts.

#### **II. Evaluation**

Evaluations of at-will employees are conducted by supervisors in accordance with WBP-07.18, "Performance Evaluations and Professional Development Appraisal System."

III. Disciplinary Action and Termination

- A. A supervisor may use disciplinary guidelines provided in WBP-07.44, “Professional Standards of Conduct and Disciplinary Guidelines” to address behavior or performance deficiencies, but use of these processes does not change an employee’s at-will status.
- B. At-will employees may be terminated at any time for any reason consistent with law and WSD policy, at the sole discretion of the superintendent or designee.
- C. At-will employees may use the grievance procedures provided by WBP-07.26, “Employee Grievance Procedures” for applicable employment matters including termination.

  
Patrick L. O'Daniel, Chairman  
Windham School District Board of Trustees