

Chapter: Employee Benefits
Title: Educational Assistance Program

Effective Date: 12/1/11
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New

ACA Standard(s): 4-JCF-6E-14

Reference: State Employees Job Training Act (§656.041 et seq., Texas Govt Code)

(a) **Policy.**

Eligible Texas Juvenile Justice Department (TJJD) employees who are seeking to obtain a degree related to the mission or needs of the agency may be granted tuition reimbursement and/or paid administrative leave to attend classes through the TJJD Educational Assistance Program (the program).

(b) **Definitions.**

For definitions of certain terms used in this policy, see the PRS Glossary.

(c) **General Provisions.**

- (1) Each fiscal year, a limited amount of funds may be made available for tuition reimbursement. In addition, paid administrative leave to attend classes during work hours may be granted.
 - (A) If funds are available, provisions of this policy will be implemented to the extent of the funds available for the current fiscal year.
 - (B) If funds are not available, the agency is not otherwise obligated to implement tuition reimbursement provisions of this policy and may or may not implement the paid administrative leave provisions.
- (2) Tuition reimbursement:
 - (A) is limited to job-related courses;
 - (B) may be requested for a maximum of two courses, not to exceed a total of seven hours, each semester;
 - (C) may not be requested for courses previously taken;
 - (D) will be considered on a semester-by-semester basis;
 - (E) may be approved for a maximum of four (4) semesters per fiscal year; and
 - (F) must be applied for and approved prior to the beginning of the semester in accordance with this policy.
- (3) An employee may request time off of up to eight hours per week for the purpose of attending classes.
 - (A) If the time off is approved, the employee will be granted paid administrative leave for the time off.
 - (B) The time off will be recorded on timesheets as Administrative Leave – Educational Assistance.
 - (C) The availability of this benefit in no way obligates the chief local administrator (CLA) to allow employees time off to attend classes during work hours. First consideration will be given to the needs of the work site. However, if the CLA approves a request for time off, then and only then may an employee attend classes during working hours and only for the approved semester.
- (4) All employees are required to comply with all applicable federal, state, and TJJD rules and regulations. Any tax consequences or tax implications that may arise from the receipt of a tuition reimbursement are the responsibility of the employee.

- (5) Tuition reimbursement is not automatic. A request must be submitted in order to claim reimbursement and confirm that specific completion criteria have been met. Additional limitations and procedures for reimbursement are explained below.
- (6) Although an educational degree may enhance promotional opportunities, completion of a course or attainment of a degree in no way obligates TJJD to promote the employee to a higher pay range or to a different position.

(d) **Procedures.**

(1) **Participation Eligibility.**

- (A) An employee must meet the following conditions to be eligible to participate in the program:
 - (i) be a full-time employee;
 - (ii) be employed for at least 12 combined consecutive months with TJJD, Texas Juvenile Probation Commission, and Texas Youth Commission;
 - (iii) have a current satisfactory performance evaluation on file; and
 - (iv) have had no disciplinary actions that are more severe than a written reprimand within the last 12 months.
- (B) An employee receiving external funding from another entity (e.g., grants, scholarships, GI bill, or other means) may only submit expenses not covered by the external funding.
- (C) In order for an employee to remain an eligible participant, the following conditions must be upheld throughout the duration of the program:
 - (i) maintain a satisfactory performance evaluation;
 - (ii) incur no disciplinary action that is more severe than a written reprimand;
 - (iii) continue full-time employment with TJJD; and
 - (iv) earn a grade of "C" or better for undergraduate courses or "B" or better for graduate courses.
- (D) The employee's supervisor must immediately notify the educational assistance program coordinator if an employee receives a disciplinary action that is more severe than a written reprimand or an unsatisfactory performance evaluation prior to completion of an approved course.
 - (i) If one of these actions occur, the employee will not:
 - (I) receive tuition reimbursement;
 - (II) be eligible to participate in the program again for at least one year after the end of the semester; or
 - (III) continue to receive any applicable paid administrative leave.
 - (ii) The employee will be allowed to use other accrued leave, other than sick leave, or a leave of absence without pay to continue attending previously approved classes.
- (E) An employee whose employment is terminated prior to completion of an approved course will not receive tuition reimbursement or continue to receive any paid administrative leave. This applies to voluntary and involuntary terminations, including employees affected by a reduction in force.

(2) Application Submission.**(A) Application Packet.**

Incomplete application packets are subject to rejection. The employee must include the following in the application packet:

- (i) for a first-time applicant or if there have been changes to a previously submitted degree plan, a copy of the degree plan along with a written explanation on how the degree being sought will benefit the agency;
- (ii) a copy of the job-related course description(s) from the school catalog or equivalent documentation; and
- (iii) a copy of a completed Educational Assistance Program Application and Agreement form, HR-096.

(B) Application Deadlines.

An employee must submit an application packet to the employee's local human resources administrator (HRA) by the following applicable semester deadlines to allow the HRA time to determine eligibility.

- (i) Fall semester – July 1
- (ii) Spring semester – November 15
- (iii) Summer semesters – April 15
- (iv) Mini-mester or on-line class – 45 days prior to start date

(3) Application Review Process.

- (A) It is the responsibility of the CLA to determine the extent to which an employee's time off for the purpose of attending class will adversely affect the job performance, productivity, or efficiency of the employee or employee's coworkers and of the operation of the facility or programs. The CLA has the discretion to approve or disapprove an employee's request for time off to attend class.
- (B) Within five working days of the HRA's receipt of the application packet, the HRA must determine eligibility and forward the application to the appropriate departments.
- (C) The educational assistance program coordinator will review the application to ensure completeness and policy compliance. If the completed application meets eligibility requirements, he/she will forward the application to the human resources director or designee for his/her approval.
- (D) The human resources director or designee will determine if sufficient funds are available.
 - (i) If funds are available, all approved applications will be granted tuition reimbursement.
 - (ii) If sufficient funds are not available, the human resources director or designee will determine which applications will be approved based on the following criteria:
 - (I) the agency's need for employees having the degree being sought by the employee;
 - (II) the semester hours the employee needs in order to complete his/her degree (employees who need fewer hours will receive priority over those who need more); and

(III) the employee's total combined tenure with TJJD, Texas Juvenile Probation Commission, and Texas Youth Commission (employees who have longer tenure will receive priority over those who have shorter tenure).

- (E) Within 30 days of receipt of an application, the educational assistance program coordinator will notify the employee in writing, and copy the facility CLA and HRA, whether the request has been approved or disapproved.
- (F) Upon receipt of the approval notice, the HRA must notify the facility accounting staff to encumber funds locally.

(4) Requesting Reimbursement.

- (A) Tuition reimbursement includes the cost of related required fees.
- (B) Tuition reimbursement is limited to the amount charged by the regionally accredited state-supported college or university in the geographical area of the employee's work site. The employee is responsible for any tuition cost above this amount. Reimbursement for privately funded schools shall not exceed the tuition cost of a state funded college or university in the geographical area of the employee's work site. This includes classroom and on-line courses.
- (C) Reimbursement for the cost of tuition and required fees will be limited to a maximum of 100%, not to exceed \$750.00 for undergraduate students and \$850.00 for graduate students, for each semester.
- (D) The employee must submit the request to process the tuition reimbursement at the end of each semester for the courses completed during the semester. The request must be submitted to the educational assistance program coordinator in Central Office, and include the following information:
 - (i) A copy of the official grade transcript or statement of the course(s) the employee completed from the educational institution; and
 - (ii) A fee receipt indicating the employee has paid the expense.
- (E) The employee must submit the request for reimbursement on or before the filing deadlines below. Requests received after the deadline will not be processed.
 - (i) Fall semester – January 30
 - (ii) Spring semester – June 30
 - (iii) Summer semesters – September 30
 - (iv) Mini-mester or on-line class – 45 days after completion date
- (F) Upon receipt of the required documents, the educational assistance program coordinator will forward the reimbursement request to the facility business office. The facility business office will complete the appropriate purchase related document and forward it to the educational assistance program coordinator.
- (G) The human resources director or designee will review the documents. If the documents supporting the reimbursement request comply with policy, the human resources director or designee will forward the documents to the Central Office Finance Department for payment.

(5) Employee Service Obligation.

- (A) An employee who participates in the program is required to make a continued service commitment to the agency as follows:
 - (i) four months of continued service per semester if the employee received tuition reimbursement **and** paid administrative leave;

- (ii) three months of continued service per semester if the employee received tuition reimbursement without paid administrative leave; or
- (iii) one month of continued service per semester if the employee received paid administrative leave without tuition reimbursement.

(B) The service obligation period begins the first day of the month after the end of the semester.

(6) Repayment upon Separation from Employment.

- (A) Only full months of completed service will count toward fulfillment of the service obligation. Employees who resign while in the process of fulfilling their tuition reimbursement service obligations must refund some or all of the tuition reimbursement, as specified below:
 - (i) If the employee fulfilled less than one full month of the service obligation, the employee must refund the full amount of the corresponding tuition reimbursement.
 - (ii) If the employee fulfilled at least one month of the service obligation, the employee must refund a prorated amount as indicated on the Educational Assistance Program Application and Agreement form, HR-096.
 - (iii) Any amount due from the employee will become a lawful debt due and owed by the employee. The balance may be repaid in one lump sum or monthly amounts.
 - (B) If the employee is rehired while repaying the previous tuition reimbursement, the employee must continue repaying the amount due. Allowing such repayment to be fulfilled by months of service is not an option. The rehired employee may receive tuition reimbursement or paid administrative leave to attend classes during work hours while repaying the previous tuition reimbursement.
 - (C) If an employee is terminated by TJJJ, unless terminated for breach of the education agreement by TJJJ, further repayment is not required.
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