



2015-2016

Employee Handbook

9600 Sims Drive • El Paso, Texas 79925 • 915•434•0000



2015-2016 YISD Board of Trustees



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Xavier De La Torre, Ed.D.
Superintendent

All students who enroll in our schools will graduate from high school, fluent in two or more languages, prepared and inspired to continue their education in a four year college, university or institution of higher education so that they become successful citizens in their community.



Dear employee,

Welcome back to another bold and ambitious school year at the Ysleta Independent School District! The celebration of YISD's centennial in 2015 has provided us the opportunity to reflect on our district's rich legacy over the past 100 years—and this school year, we remain committed to our mission of renewing, reinventing, and re-energizing Ysleta ISD with the unwavering support of our hard-working and dedicated employees.

This is an exciting time to work for Ysleta ISD! Our encore year will introduce a series of initiatives and programs for students under our new "Engage Me" campaign, which includes providing laptop computers to all third-, fourth-, and seventh-grade students, and increasing our investment in athletics and the visual/performing arts. For the first time, YISD is also providing free Pre-K to all families in El Paso, regardless of where they live, in the 2015-16 school year.

In order for YISD to maintain its momentum, it is imperative for us to provide a healthy and productive work environment for all of our employees. As part of our continuing efforts to work collaboratively with our employees to improve the educational experience for our students, we are proud to present the 2015-16 YISD Employee Handbook.

The handbook provides important information on employee and employment issues for all YISD staff, and is designed to easily reference a wide variety of topics, including employee conduct, general procedures, leaves and absences, compensation, and benefits, among others. By outlining the district's expectations in this handbook, as well as employee rights and responsibilities, we can help ensure all Ysleta employees are performing to the best of their abilities.

At Ysleta ISD, our employees are an essential part of our success. We hope you find this handbook to be useful, and we thank you for your loyalty, perseverance, and support of the Ysleta Independent School District.

Sincerely,



Xavier De La Torre, Ed.D.
Superintendent of Schools
Ysleta Independent School District

Ysleta Independent School District Executive Cabinet

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INTRODUCTION

The Ysleta Independent School District stands as a monument to perseverance and determination in its commitment to providing a quality education. The success of our students is our primary concern; all that we do is centered around that goal. To perform our duties effectively and to help our students achieve success, it is important that all employees be aware of the policies and procedures that relate to their positions.

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all District policies and procedures are included. Those that are, have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Employee Relations Department.

This handbook is neither a contract nor a substitute for the official District policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of District policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate District office. Ysleta ISD policies are accessible on the District's web page (www.yisd.net).

DISTRICT INFORMATION

From its beginnings in the 1930s as a rural education District with one high school and a handful of middle and elementary schools, the Ysleta Independent School District has grown into one of the major school Districts in the state with over 40,000 students and 6,000 administrators, teachers and staff. The District has 64 campuses, which sprawl through an urban area stretching from northeast El Paso to the east and southeast areas of the city. A nationally recognized area of historic missions, homes and Indian settlements can be found within the District's boundaries. Within the Mission Trail can be found structures dating back to the early 1600s, which are among the oldest examples of European colonization in the United States.

The Ysleta Independent School District is known across the state and nationally for its educational initiatives, as evidenced by its being chosen twice as a finalist for the Broad Prize, given to the one District nationwide which best exemplifies educational excellence. The District takes great pride in its highly qualified faculty and staff, who are dedicated to implementing these programs and delivering a world-class education to all of our students. With that in mind, the District makes every effort to ensure that our teachers and support staff have the guidance, assistance and encouragement to lead our students to academic excellence.

Public Education Mission, Goals, and Objectives

Policy AE, AE (Exhibit)

All students who enroll in our schools will graduate from high school fluent in two or more languages, prepared and inspired to continue their education in a four-year college, university, or institution of higher education so that they become successful citizens in their community.

The mission of the Texas public education system is to ensure that all Texas children have access to a quality education that enables them to achieve their full potential and fully participate now and in the future in the social, economic, and educational opportunities in our state and nation. That mission is grounded on the conviction that a general diffusion of knowledge is essential for the welfare of Texas and for the preservation of the liberties and rights of Texas citizens. It is further grounded on the conviction that a successful public education system is directly related to a strong, dedicated, and supportive family and that parental involvement in the school is essential for the maximum educational achievement of a child. The objectives of public education are:

Objective 1: Parents will be full partners with educators in the education of their children.

Objective 2: Students will be encouraged and challenged to meet their full educational potential.

Objective 3: Through enhanced dropout prevention efforts, all students will remain in school until they obtain a diploma.

Objective 4: A well-balanced and appropriate curriculum will be provided to all students.

Objective 5: Educators will prepare students to be thoughtful, active citizens who have an appreciation for the basic values of our state and national heritage and who can understand and productively function in a free enterprise society.

Objective 6: Qualified and highly effective personnel will be recruited, developed, and retained.

Objective 7: Texas students will demonstrate exemplary performance in comparison to national and international standards.

Objective 8: School campuses will maintain a safe and disciplined environment conducive to student learning.

Objective 9: Educators will keep abreast of the development of creative and innovative techniques in instruction and administration using those techniques as appropriate to improve student learning.

Objective 10: Technology will be implemented and used to increase the effectiveness of student learning, instructional management, staff development, and administration.

The academic goals of public education are to serve as a foundation for a well-balanced and appropriate education. The students in the public education system will demonstrate exemplary performance in:

Goal 1: The reading and writing of the English language.

Goal 2: The understanding of mathematics.

Goal 3: The understanding of science.

Goal 4: The understanding of social studies.

Board of Trustees

Policies BA, BB series, BD series, and BE series

Texas law grants the Board of Trustees the power to govern and oversee the management of the District's schools. The Board is the policy-making body within the District and has overall responsibility for the curriculum, school taxes, annual budget, employment of the superintendent and other issues relating to professional staff and facilities. The Board has complete and final control over school matters within limits established by state and federal law and regulations.

The Board of Trustees is elected by the citizens of the District to represent the community's commitment to a strong educational program for the District's children. Board members are elected in intervals and serve four-year terms. Board members serve without compensation, must be registered voters, and must reside in the District.

Current Board members include:

- ◆ Shane Haggerty, President
- ◆ Connie Woodruff, Vice President
- ◆ Ana M. Dueñez, Secretary
- ◆ Patricia Torres McLean, Trustee
- ◆ Paul Pearson, Trustee
- ◆ Sotero G. Ramirez III, Trustee
- ◆ Mike Rosales, Trustee

The Board usually meets on the second Wednesday of the month at 6:00 p.m. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the official Board bulletin and the District website at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

All meetings are open to the public. In certain circumstances, Texas law permits the Board to go into a closed session from which the public and others are excluded. Closed session may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or to consult with attorneys regarding pending litigation.

EMPLOYMENT

Equal Employment Opportunity

Policies DAA, DIA

The Ysleta ISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the District does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

Employees with questions or concerns relating to discrimination for any of the reasons listed above should contact the Director of Employee Relations at 434-0411.

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location or pool postings are advertised on a regular basis and posted at the central administration building, campus offices, and on the District's website.

Employment After Retirement

Policy DC

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in limited circumstances on a full or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication Employment After Retirement. Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS website (www.trs.state.tx.us).

Contract and Noncontract Employment

Policy DC series

State law requires the District to employ all full-time professional employees in positions requiring a certificate from the State Board for Educator Certification

(SBEC) and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at-will or by a contract that is not subject to the procedures for non-renewal or termination under Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the District.

Probationary contracts. Nurses and full-time professional employees new to the District and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after a two-year lapse in District employment or employees who move to a position requiring a new class of certification may also be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the District may not exceed one school year. For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the Board determines it is doubtful whether a term contract should be given.

Term contracts. Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be access on the District's website (www.yisd.net).

Noncertified professional and administrative employees. Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) are employed by a one-year contract that is not subject to the provisions for non-renewal or termination under the Texas Education Code.

Paraprofessional and ancillary employees. All paraprofessional and ancillary employees, regardless of certification, are employed at-will and not by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the District.

Certification and Licenses

Policies DBA, DF

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the Human Resources office in a timely manner.

A certified employee's contract may be voided, without due process, and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Human Resources office if you have any questions regarding certification or licensure requirements.

Searches and Alcohol and Drug Testing

Policies CQ, DHE

Non-investigatory searches in the workplace, including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the District reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The District may search the employee, the employee's personal items, and work areas including District-owned computers, lockers, and private vehicles parked on District premises or work sites or used in District business.

Employees required to have a Commercial Driver's License. Any employee whose duties require a commercial driver's license (CDL) is subject to drug and alcohol testing. This includes all drivers who operate a motor vehicle designed to transport 16 or more people counting the driver, drivers of large vehicles, or drivers of vehicles used in the transportation of hazardous materials. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, and as a follow up measure. Testing will be conducted following accidents.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the District's policy, the testing requirements, detailed information on alcohol and drug abuse, and access to the Employee Assistance Program. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Employee Relations at 434-0411.

Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the District proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation in the following manner as applicable: Coaches, to the Athletic Director; Nurses, to the Coordinator of Health Services; and High School Band Directors, to the Director of Fine Arts.

Reassignments and Transfers

Policy DK

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent or designee determines that the assignment or reassignment is in the best interest of the District. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the District process for employee complaints as outlined in this handbook and District policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by the given date posted each year. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resources department and must be approved by the receiving supervisor.

Workload and Work Schedules

Policies DEA, DEAB, DK, DL

Professional employees. Professional employees and academic administrators are exempt from overtime pay and are employed on a 10-, 11- or 12-

month basis, according to the work schedules set by the District. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including start and end dates and scheduled holidays will be distributed each school year.

Classroom teachers will have planning periods for instructional preparation including conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes within the instructional day. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The District may require teachers to supervise students during lunch one day a week when no other personnel are available.

Paraprofessional and ancillary employees. Support employees are employed at-will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and ancillary employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. Unauthorized overtime may result in disciplinary action, up to and including termination.

Breaks for Expression of Breast Milk

Policies DEA, DEAB, DG

The District supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express milk. Employees should meet with their supervisor to discuss their needs and arrange break times.

Notification to Parents Regarding Qualifications

Policies DK, DBA

In schools receiving Title I funds, the District is required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. NCLB also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks (or 20 consecutive days) by a teacher who is not highly qualified.

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notification

under NCLB is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request.

Employees who have questions about their certification status can call the District's Certification Specialist at 434-0414.

Outside Employment and Tutoring

Policy DBD

Employees who wish to accept outside employment or engage in other activities for profit must submit a written request to their supervisor. Approval for outside employment will be determined by the campus principal or department supervisor on a case-by-case basis and will be based on whether outside employment interferes with the duties of the regular assignment. The written request should include the type of work, the location of the job, the days/hours required for that outside employment and any other pertinent information to assist in determining whether or not the outside employment interferes with the duties of the regular assignment. Teachers are not allowed to privately tutor their students for pay, except during the summer months.

Performance Evaluation

Policy DN series

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor as outlined in District policy and regulation DNA-R. Written evaluations will be completed on forms approved by the District. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

Any document evaluating the performance of a teacher or administrator employed under a Chapter 21 contract is confidential.

Employee Involvement

Policies BQA, BQB

At both the campus and District levels, Ysleta ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the District. As part of the District's planning and decision-making process, employees are elected to serve on District- or campus-level advisory committees.

Plans and detailed information about the shared decision-making process are available in each campus office or from the Division of Academics.

Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees and the District. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan (CIP), and approved by a campus-level advisory committee. Staff development for non-instructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation.

COMPENSATION AND BENEFITS

Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

Employees are paid in accordance with administrative guidelines and an established pay structure. The District's pay plans are reviewed by the administration each year and adjusted as needed. All District positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory or overtime pay for each hour worked beyond 40 hours in a workweek. *See Overtime Compensation, page 11.*

All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the District's extra-duty pay schedule.

Employees should contact the District's Compensation Coordinator at 434-0435 for more information about the District's pay schedules or their own pay.

Pay Statements

All professional and salaried employees are paid monthly. Ancillary employees are paid every two weeks. Pay statements are delivered via personal YISD email accounts. Employees without YISD email access will receive printed cop-

ies of their pay statements. Pay statements will not be released to any person other than the District employee named on the check without the employee's written authorization.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

Automatic Payroll Deposit

The District requires all new employees to have their paychecks electronically deposited into a designated account. A notification period of one month is necessary to activate this service. Contact the Payroll department in the Finance office at 434-0270 for more information about the automatic payroll deposit service.

Payroll Deductions

Policy CFEA

The District is required to make the following automatic payroll deductions:

- Teacher Retirement System of Texas (TRS)
- Federal income tax
- Medicare tax (applicable only to employees hired after March 31, 1986)
- Part-time, seasonal, temporary, and retire/rehirees who are not eligible for TRS membership must contribute to a FICA alternative plan.

Other payroll deductions that employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans. Employees may also request payroll deduction for payment of membership dues to authorized professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

Overtime Compensation

Policy DEAB

The District compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without prior approval from their supervisor.

Overtime is legally defined as all hours worked in excess of 40 hours in a work-week and is not measured by the day or by the employee's regular work sched-

ule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Saturday and ends at midnight Friday.

Compensatory time off in lieu of overtime payment will be the District's standard method of compensating for overtime unless there is a prior agreement between the employer and the employee for overtime compensation. Employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay.

The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of comp time with prior approval from their supervisor.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- An employee will be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.
- Employee is responsible for the time he or she clocks in when using EMP Center and certifies that the hours recorded are accurate and reflect the actual time worked.

Travel Expense Reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the District. Employees must submit receipts, to the extent possible, to be reimbursed for expenses other than mileage.

Health, Dental, and Life Insurance

Policy CRD

Group health insurance coverage is available to all full-time employees. The District's contribution to employee insurance premiums is determined annually by the Board of Trustees. Detailed descriptions of insurance coverage, prices, and eligibility requirements are provided to all employees in the Employee Health Benefit booklet issued to each employee at the New Employee Orientation.

The health insurance plan year is from January through December. New employees must complete enrollment forms within the first 30 days of employment. Current employees can make changes in their insurance coverage during the annual open enrollments generally held in October and/or when a qualifying event occurs. Employees should contact Risk Management at 434-0460 for more information.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs such as dental, vision, disability, and optional life, to name a few. All health benefit premiums are payroll deducted. Employees should contact Risk Management at 434-0460 for more information.

Cafeteria Plan Benefits (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., disability, medical, vision, and dental). A third-party administrator handles employee claims made on these accounts.

New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis and during the specified time period.

Workers' Compensation Insurance

Policy CRE

The District, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The Workers' Compensation program is self-funded. Benefits include payments for approved medical treatment and indemnity wages for time lost away from work directly resulting from a compensable workers' compensation injury or illness. Specific benefits are prescribed by law depending on the circumstances of each case. A third party administrator handles all workers' compensation claims for the District.

All work-related accidents or injuries must be reported immediately to the employee's direct supervisor before the end of their shift. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. *See Workers' Compensation Benefits, page 23* for information on use of paid leave for such absences.

Unemployment Compensation Insurance

Policy CRF

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Risk Management at 434-0460.

Teacher Retirement

Policy DEG

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are eligible to purchase a year of creditable service in TRS. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify TRS as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the TRS website (www.trs.state.tx.us). See page 4 for information on restrictions of employment of retirees in Texas public schools.

Other Benefit Programs

Policy DEC

Retirement Benefit. District employees whose most recent date of hire (or rehire) was on or before August 31, 1996, who retire under the Teacher Retirement System of Texas shall be eligible for the following benefits:

- The eligible employee shall receive payment for accumulated sick leave as provided below, after documentation is given to the District by the employee lending proof to the retiring employee's receipt and negotiation of initial TRS annuity payment.
- The employee shall be compensated on the basis of full salary based on the last contract preceding retirement, or the last hourly rate under which the employee worked, if applicable. In no case shall an employee receive compensation exceeding 80 days of accumulated paid leave nor at a rate higher than the master degree teachers' salary schedule plus Career Ladder 2.

- In the event of the death of a District employee who is eligible for absence and sick leave privileges, the District shall compensate the beneficiary or the estate of that employee for all unused absence and sick leave as provided above for retired employees.

Employee Assistance Program. The Employee Assistance Program (EAP), a benefit provided by the District, is designed to provide free confidential assessments and short-term counseling to employees and their family members who have problems that can affect job performance or home life. Employees with questions about the employee assistance program should contact Employee Relations at 434-0411.

LEAVES AND ABSENCES

Policies DEC, DECA, DECB

The District offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five consecutive days should call Risk Management at 434-0460 for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the District.

Leave must be used in half day or one-hour increments, as authorized by the supervisor or campus administrator. However, if an employee is taking intermittent family and medical leave, leave shall be recorded in one-hour increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Local Leave
- State Sick Leave
- State Personal Leave

In case of religious leave, state personal leave shall be taken first, followed by local leave and then state sick leave.

Employees must follow District and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form or certification.

Medical Certification. Any employee who is absent more than five (5) consecutive days because of a personal or family illness **must** submit a medical certification from a qualified health care provider, licensed in the United States, confirming the specific dates of the illness, the reason for the illness, and --in the case of personal illness-- the employee's fitness to return to work.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. 'Genetic information', as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Continuation of Health Insurance. Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the District as they were prior to the leave. Otherwise, the District does not pay any portion of insurance premiums for employees who are on unpaid leave. Under TRS-Active Care rules, an employee is no longer eligible for insurance through the District after six months of unpaid leave other than FML. If an employee's unpaid leave extends for more than six months, the District will provide the employee with notice of COBRA rights.

Personal Leave

State law entitles all employees to five (5) days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

Nondiscretionary. Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary leave may be used in the same manner as state sick leave.

Discretionary. Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her supervisor five (5) days in advance of the anticipated absence. Discretionary personal leave will be granted on a first-come, first-served basis. The effect of the employee's absence on the educational program or department operations, as well as the

availability of substitutes, will be considered by the principal or supervisor.

Except in extenuating circumstances approved by the Superintendent or his designee(s), ***discretionary leave shall not be allowed on the first five and last five teaching days of each semester, the day before or after a school holiday, days scheduled for end-of-semester or end-of-year exams, days scheduled for state testing, or professional or staff development days.*** Discretionary leave used for the observance of religious holidays is exempt from the above listed restrictions.

Leave Proration. If an employee separates from employment with the District before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year.

State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used in 1/4 hour increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

If an employee uses more sick leave than he or she has earned, the cost of unearned sick leave will be deducted from the employee's next paycheck.

State sick leave may be used for the following reasons only:

- Employee illness
- Illness in the employee's immediate family (as defined in Policy DEC [Local] and DECA)
- Family emergency (i.e., natural disasters or life-threatening situations)
- Death in the immediate family
- Active military service
- Offsetting workers' compensation payments

Local Leave

A full-time employee shall earn local leave based on his or her contract or assignment schedule as follows:

0–201	(10 months)	5 days of local leave per year
202–225	(11 months)	6 days of local leave per year
226–260	(12 months)	7 days of local leave per year

All full-time employees with an effective hired date of or prior to September 1, 2008, shall earn seven (7) days of local leave per year after three (3) years of service.

Sick Leave Bank

A catastrophic sick leave bank has been established for all full-time employees who wish to participate. To join, an employee must contribute one (1) day of local leave per school year. This leave is solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee or a member of the employee's immediate family experiences a catastrophic illness or injury and the employee has exhausted all paid leave. No employee may exceed the lifetime maximum benefit of one full employment year. Details on eligibility, cancellation or loss of eligibility, and directions for applying for catastrophic leave may be found in District Policy DEC (Local) or by calling Risk Management at 434-0460.

The District also offers a limited bank of leave through "donation of days". The "Donation of Days Bank" is a donor program based on goodwill in which qualifying full-time employees may request up to thirty (30) local sick leave days per school year. Details on eligibility and appeal procedures may be found in Policy DEC (Local).

Family and Medical Leave Act (FMLA)

General Provisions. The following text is from the federal notice, *Employee Rights and Responsibilities Under the Family and Medical Leave Act*. Specific information that the District has adopted to implement the FMLA follows this general notice.

Basic Leave Entitlement. The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements. An eligible employee whose spouse, son, daughter or parent is on covered active duty or called to covered active duty status may use his or her 12-week leave entitlement to address certain

qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness*.

***The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition”.**

Benefits and Protections. During FML, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FML, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FML cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

Eligibility Requirements. Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two visits to a health care provider or one visit and a

regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave. Employees may choose or employers may require use of accrued paid leave while taking FML. In order to use paid leave for FML, employees must comply with the District's normal paid leave policies.

Employee Responsibilities. Employees must provide 30 days advance notice of the need to take FML, when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FML was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities. Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are eligible, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FML and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FML, the employer must notify the employee.

Unlawful Acts by Employers. The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any prac-

tice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Enforcement. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300 (a) may require additional disclosures.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
www.wagehour.dol.gov

Local Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period measured backward from the date an employee uses FML.

Use of Paid Leave. FML runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The District will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently. Employees are unable to utilize unpaid leave if paid leave time is available.

Continuation of Benefits and Job Restoration. Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave. Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

Combined Leave for Spouses. Spouses who are employed by the District are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

Intermittent Leave. When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The District does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

Requests for FMLA. When the need for family and medical leave is foreseeable, employees must provide 30 days advance notice to the District. When the need for leave is not foreseeable, employees must contact Risk Management as soon as possible. Employees may be required to provide the following:

- Medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member;
- Second or third medical opinions and periodic recertification of the need for leave;
- Periodic reports during the leave regarding the employee's status and intent to return to work;
- Medical certification from a qualified health care provider at the conclusion of leave of an employee's ability to return to work;
- Certification of the need for family military leave.

Employees requiring family and medical leave should contact Risk Management at 434-0460 for details on eligibility, requirements, and limitations.

Temporary Disability Leave

Certified Employees. Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

If an employee is placed on temporary disability leave involuntarily, he or she has the right to request a hearing before the Board of Trustees. The employee may protest the action and present additional evidence of fitness to work.

When an employee is ready to return to work, Risk Management should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to re-

sume regular duties and perform the essential functions of their job. Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

Workers' Compensation Benefits

An employee absent from duty because of a work-related illness or injury may be eligible for workers' compensation weekly income benefits if the absence exceeds seven (7) calendar days.

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use available, partial-day increments of sick leave or any other paid leave benefits to make up the difference between wage benefits and pre-injury or pre-illness wages. While an employee is receiving workers' compensation wage benefits, the District will charge available leave proportionately so that the employee receives an amount equal to the employee's regular salary.

Assault Leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person non-responsible for purposes of criminal liability.

An employee who is physically assaulted at work may take all the leave time medically necessary, up to two (2) years, to recover from the physical injuries he or she sustained. At the request of an employee, the District will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation, the District may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

Jury Duty

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and may retain any compensation they receive. Employees are required to return to work immediately if jury duty responsibilities end at least 4 hours prior to the end of the work day.

Other Court Appearances

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Absences for court appearances related to an employee's personal business, absent a subpoena, must be taken as personal leave or leave without pay (if no personal leave is available). Employees will be required to submit documentation of their need for leave for court appearances.

Military Leave

Paid leave for military service. Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave for authorized training or duty orders. Paid military leave is limited to 15 days each fiscal year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Reemployment after military leave. Employees who leave the District to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the District will be reemployed provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the time specified by law to the Human Resources department. In most cases, the length of federal military service cannot exceed five (5) years.

Continuation of health insurance. Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact Risk Management at 434-0460 for details on eligibility, requirements, and limitations.

Uniformed Services Employment and Reemployment Rights Act

(USERRA)

The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

Reemployment rights. You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five (5) years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

Right to be free from discrimination and retaliation. If you are a past or present member of the uniformed service, have applied for membership in the uniformed service, or are obligated to serve in the uniformed service, then an employer may not deny you any of the following because of this status:

- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

Health insurance protection. If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions except for service-connected illnesses or injuries.

Enforcement. The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL (or 1-866-487-2365) or visit its website at www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at www.dol.gov/elaws/userra.htm. If you file a complaint with

VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, depending on the employer, for representation. You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

Job Abandonment

Employees absent from work for five (5) consecutive days without good cause or prior approval, or who fail to provide immediate notice to the school principal or immediate supervisor of an acceptable reason for absence, will be considered as having quit without notice, and the position will be declared vacant. Walking off the job (leaving the job site without authorization) is also interpreted as “quitting.”

EMPLOYEE RELATIONS AND COMMUNICATIONS

Employee Recognition and Appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the District. Employees are recognized at Board meetings, in the District newsletter, and through special events and activities.

District Communications

Throughout the school year, the Public Relations office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

COMPLAINTS AND GRIEVANCES

Policy DGBA

In an effort to hear and resolve employee concerns or complaints in a timely manner and at the lowest administrative level possible, the Board has adopted an orderly grievance process. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at any time.

The formal grievance process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the Board of Trustees. For ease of reference, the District's policy concerning the process of bringing concerns and complaints is reprinted as follows:

COMPLAINTS In this policy, the terms “complaint” and “grievance” shall have the same meaning.

OTHER
COMPLAINT
PROCESSES

Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional materials shall be submitted in accordance with EFA.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

NOTICE TO
EMPLOYEES

The District shall inform employees of this policy through appropriate District publications.

GUIDING
PRINCIPLES

The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

INFORMAL
PROCESS

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

DIRECT COMMUNICA- TION WITH BOARD MEMBERS	Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.
FORMAL PROCESS	<p>An employee may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.</p>
FREEDOM FROM RETALIATION	Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.
WHISTLE- BLOWER COMPLAINTS	Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]
COMPLAINTS AGAINST SUPERVISORS	Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.
GENERAL PROVISIONS FILING	Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

SCHEDULING CONFERENCES	The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee's absence.
RESPONSE	At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
DAYS	"Days" shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."
REPRESENTATIVE	<p>"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.</p> <p>The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.</p>
CONSOLIDATING COMPLAINTS	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p> <p>When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.</p>

<p>UNTIMELY FILINGS</p>	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
<p>COSTS INCURRED</p>	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
<p>COMPLAINT AND APPEAL FORMS</p>	<p>Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.</p> <p>A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.</p>
<p>AUDIO RECORDING</p>	<p>As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.</p>
<p>LEVEL ONE</p>	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none"> 1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and 2. With the lowest level administrator who has the authority to remedy the alleged problem. <p>In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.</p>

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within seven days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the employee a written response within seven days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

LEVEL TWO

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within 14 days of the date of the written Level One response or, if no response was received, within 14 days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within 14 days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the employee a written response within 14 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

LEVEL THREE If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within 14 days of the date of the written Level Two response or, if no response was received, within 14 days of the Level Two response deadline.

The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

EMPLOYEE CONDUCT AND WELFARE

Standards of Conduct

Policy DH

All employees are expected to work together in a cooperative spirit to serve the best interests of the District and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.

- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with department and District policies and procedures.
- Comply with the directives of a supervisor or District official, including, but not limited to, requests to sign for receipt of any document(s). Failure to comply with directives is insubordination and will be cause for disciplinary action.
- Comply with and answer truthfully in all District investigations. Dishonesty or evasiveness during a District investigation is grounds for termination.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use District time, funds, and property for authorized District business and activities only.
- District Policy [DF (LEGAL)] strictly prohibits the solicitation of a romantic relationship with a current student. District Policy [DH (LOCAL)] forbids an employee from dating a former student until such student is twenty-one years of age and has been graduated from high school at least two years.

All District employees should perform their duties in accordance with state and federal law, District policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent first learns of the incident. See *Reports to the Texas Education Agency, page 66* for additional information.

The *Educators' Code of Ethics*, adopted by the State Board for Educator Certification, which all District employees must adhere to, is reprinted below:

Texas Educators' Code of Ethics

Statement of Purpose

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and mem-

bers of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. (19 TAC 247.1(b))

Professional Standards

1. Professional Ethical Conduct, Practices, and Performance

Standard 1.1 The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

Standard 1.2 The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

Standard 1.3 The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

Standard 1.4 The educator shall not use institutional or professional privileges for personal or partisan advantage.

Standard 1.5 The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

Standard 1.6 The educator shall not falsify records, or direct or coerce others to do so.

Standard 1.7 The educator shall comply with state regulations, written local school board policies, and other state and federal laws.

Standard 1.8 The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

Standard 1.9 The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.

Standard 1.10 The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

Standard 1.11 The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

Standard 1.12 The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.

Standard 1.13 The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

2. Ethical Conduct toward Professional Colleagues

Standard 2.1 The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

Standard 2.2 The educator shall not harm others by knowingly making false statements about a colleague or the school system.

Standard 2.3 The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

Standard 2.4 The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

Standard 2.5 The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.

Standard 2.6 The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

Standard 2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.

3. Ethical Conduct toward Students

Standard 3.1 The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

Standard 3.2 The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endan-

gers the learning, physical health, mental health, or safety of the student or minor.

Standard 3.3 The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

Standard 3.4 The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

Standard 3.5 The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

Standard 3.6 The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.

Standard 3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

Standard 3.8 The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

Standard 3.9 The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

- i) the nature, purpose, timing, and amount of the communication;
- ii) the subject matter of the communication;
- iii) whether the communication was made openly or the educator attempted to conceal the communication;
- iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- v) whether the communication was sexually explicit; and
- vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

Suspension

Professional employees may be suspended with pay or placed on administrative leave by the Superintendent or his designee during an investigation of alleged misconduct by the employee or at any time the Superintendent or designee determines that the District's best interest will be served by the suspension or administrative leave.

At-will employees may be suspended with or without pay during an investigation of alleged misconduct by the employee or at any time the Superintendent or his designee determines that the District's best interest will be served by the suspension or administrative leave.

Any employee who is suspended or placed on administrative leave will be expected to comply with the terms and conditions of the suspension/administrative leave. Failure to do so will result in disciplinary action, up to and including termination of employment.

Discrimination, Harassment, and Retaliation

Policies DH, DIA

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons including Board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action.

Individuals who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate District official. If the campus principal, supervisor or District official is the subject of a complaint, the complaint should be made directly to the superintendent. A complaint against the Superintendent may be made directly to the Board.

The District's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is reprinted below:

Note: This policy addresses discrimination, harassment and retaliation involving District employees. In this policy, the term "employees" includes former employees and applicants for employment. For discrimination, harassment, and retaliation involving students, see Policy **FFH**. For reporting requirements related to child abuse and neglect, see Policy **FFG**.

STATEMENT OF NON- DISCRIMINATION	The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.
DISCRIMINATION	Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.
HARASSMENT	<p>Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none"> 1. Has the purpose or effect of unreasonably interfering with the employee's work performance; 2. Creates an intimidating, threatening, hostile, or offensive work environment; or 3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.
SEXUAL HARASSMENT	<p>Sexual harassment is a form of sex discrimination defined as unwelcomed sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:</p> <ol style="list-style-type: none"> 1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or 2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.
EXAMPLES	Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.

RETALIATION	<p>The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.</p> <p>An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.</p>
EXAMPLES	<p>Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.</p>
PROHIBITED CONDUCT	<p>In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.</p>
REPORTING PROCEDURES	<p>An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.</p> <p>Alternatively, the employee may report the alleged acts to one of the District officials below.</p>
DEFINITION OF DISTRICT OFFICIALS	<p>For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.</p>
TITLE IX COORDINATOR	<p>Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended.</p> <p>For reports of discrimination involving sexual harassment and dating violence:</p> <p style="margin-left: 40px;">Name: Bobbi Russell-Garcia Position: Director of Employee Relations Address: 9600 Sims Drive, El Paso, TX 79925 Telephone: (915) 434-0411</p>

For all other reports of discrimination based on sex:

Name: Michael Williams
Position: Director of Athletics
Address: 9600 Sims Drive, El Paso, TX 79925
Telephone: (915) 434-0632

ADA / SECTION
504
COORDINATOR

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District 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: Dr. Diana Otero
Position: Executive Director of Special Education
Address: 9600 Sims Drive, El Paso, TX 79925
Telephone: (915) 434-0900

SUPERINTENDENT

The Superintendent or designee shall serve as coordinator for purposes of District compliance with all other anti-discrimination laws.

ALTERNATIVE
REPORTING
PROCEDURES

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

TIMELY
REPORTING

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.

NOTICE OF
REPORT

Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

INVESTIGATION
OF
THE REPORT

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

CONCLUDING THE INVESTIGATION

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

DISTRICT ACTION

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

CONFIDENTIALITY

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

APPEAL	A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level. The complainant may have a right to file a complaint with appropriate state or federal agencies.
RECORDS RETENTION	Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years. [See CPC]
ACCESS TO POLICY	This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.

Harassment of Students

Policies DF, DH, FFG, FFH, FFI

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and District employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate District official. All allegations of prohibited harassment or abuse of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse, page 48* and *Bullying, page 69* for additional information.

The District's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below:

Note: This policy addresses bullying of District students. For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

BULLYING PROHIBITED	The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.
DEFINITION	Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

EXAMPLES	Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.
RETALIATION	The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.
EXAMPLES	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
FALSE CLAIM	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.
TIMELY REPORTING	Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.
REPORTING PROCEDURES	To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.
STUDENT REPORT	

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

REPORT FORMAT	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
PROHIBITED CONDUCT	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
INVESTIGATION OF REPORT	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
CONCLUDING THE INVESTIGATION	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.</p> <p>The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.</p>
NOTICE TO PARENTS	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.
DISTRICT ACTION BULLYING	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.

DISCIPLINE	<p>A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.</p> <p>The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.</p>
CORRECTIVE ACTION	<p>Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.</p>
TRANSFERS	<p>The principal or designee shall refer to FDB for transfer provisions.</p>
COUNSELING	<p>The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.</p>
IMPROPER CONDUCT	<p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.</p>
CONFIDENTIALITY	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.</p>
APPEAL	<p>A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.</p>
RECORDS RETENTION	<p>Retention of records shall be in accordance with CPC (LOCAL).</p>

ACCESS TO POLICY
AND PROCEDURES

This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's Web site, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

Policy DF (LEGAL) includes a definition of "solicitation of a romantic relationship." This portion of the policy is printed below:

"Solicitation of a romantic relationship" means deliberate or repeated acts that can be reasonably interpreted as soliciting a relationship characterized by an ardent emotional attachment or pattern of exclusivity. Acts that constitute the solicitation of a romantic relationship include:

1. Behavior, gestures, expressions, communications, or a pattern of communication with a student that is unrelated to the educator's job duties and that may reasonably be interpreted as encouraging the student to form an ardent or exclusive emotional attachment to the educator, including statements of love, affection, or attraction. When evaluating whether communications constitute the solicitation of a romantic relationship, the following may be considered:
 - a. The nature of the communications;
 - b. The timing of the communications;
 - c. The extent of the communications;
 - d. Whether the communications were made openly or secretly;
 - e. The extent to which the educator attempted to conceal the communications;
 - f. If the educator claims to be counseling a student, TEA staff may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate law enforcement agencies; and
 - g. Any other communications tending to show that the educator solicited a romantic relationship with a student.
2. Making inappropriate comments about a student's body.
3. Making sexually demeaning comments to a student.
4. Making comments about a student's potential sexual performance.

5. Requesting details of a student's sexual history.
6. Requesting a date.
7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
8. Inappropriate hugging, kissing, or excessive touching.
9. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
10. Any other acts tending to show that the educator solicited a romantic relationship with the student, including providing the student with drugs or alcohol.

Reporting Suspected Child Abuse

Policies DF, DG, DH, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Abuse is defined by SBEC and includes the following acts or omissions:

- Mental or emotional injury to a student or minor that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Causing or permitting a student or minor to be in a situation in which the student or minor sustains a mental or emotional injury that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Physical injury that results in substantial harm to a student or minor, or the genuine threat of substantial harm from physical injury to the student or minor, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline; or
- Sexual conduct harmful to a student's or minor's mental, emotional, or physical welfare.

Employees are also required to make a report if they have cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child or disabled person.

Reports to Child Protective Services can be made to the Texas Abuse Hotline (800-252-5400) or online at www.txabusehotline.org.

State law specifies that an employee may not delegate to or rely on another person or administrator to make the report. You will be required to create a user name and password the first time you make a report on the site.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the District is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to report suspected child abuse may result in prosecution of a State jail felony. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the *Texas Educators' Code of Ethics*.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agencies.

Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Sexual Abuse and Maltreatment of Children

The District has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed from the Guidance and Counseling Department's website. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

Employees are required to follow the procedures described above in Reporting Suspected Child Abuse.

Reporting Crime

Policy DG

The Texas Whistleblower Act protects District employees who make good faith reports of violations of law by the District to an appropriate law enforcement authority. The District is prohibited from suspending, terminating the employment of, or taking other adverse personnel action against, an employee who makes a report under the Act. State law also provides employees with the right to report a crime witnessed at the school to any peace officer with authority to investigate the crime.

Technology Resources

Policy CQ

The District's technology resources, including its networks, computer systems, e-mail accounts, devices connected to its networks, and all District-owned devices used on or off school property, are primarily for administrative and instructional purposes. The systems include internet access, printing, e-mail, server-based document storage, administrative systems and District websites. Regardless of the system accessed, there are guidelines that must be followed by those who utilize these resources. Listed below are guidelines for the use of these resources:

- Supports instructional purposes and goals;
- Does not disrupt or damage technology resources or the educational process;
- Does not violate the Student Code of Conduct or Educator's Professional Ethics;
- Includes student access only under staff supervision;
- Complies with all local, state, and federal laws, including copyright laws;
- Does not involve threatening behavior, harassment, or offensive materials;
- Excludes commercial activity;
- Excludes political activity;
- Excludes distributing unsolicited mass e-mails;
- Conserves resources such as bandwidth, disk space, and paper;
- Respects network security as well as individual's files, documents, and passwords;
- Includes an obligation to report inappropriate activity or security issues to a teacher or supervisor;
- Avoids websites that promote pornography, computer hacking, intolerance, drug culture, gross depictions, militant/extremist, illegal activities, gambling, or violence/profanity; and

- Protects the identities of students and avoids unnecessary disclosure of personal information as defined by the Federal Family Education Rights and Privacy Act (FERPA).

Limited personal use is permitted if the use:

- Imposes no tangible cost to the District;
- Does not unduly burden the District's computer or network resources; and
- Has no adverse effect on job performance or on a student's academic performance.

Electronic mail transmissions and other use of technology resources are not confidential and can be monitored at any time to ensure appropriate use.

Employees are required to abide by the provisions of the District's acceptable use agreement and administrative procedures. Any user violating these provisions is subject to loss of network access and/or other disciplinary measures consistent with the Student or Employee Codes of Conduct, and/or criminal prosecution. Employees with questions about computer use and data management can contact the Chief Technology Officer at 434-1001.

Personal Use of Electronic Media

Policy DH

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.

As role models for the District's students, employees are responsible for their public conduct even when they are not acting as District employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic media for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the District's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct District business.
- The employee shall not use the District's logo or other copyrighted material of the District without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on District business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
 - Confidentiality of student records. *[See Policy FL]*
 - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. *[See Policy DH (EXHIBIT)]*
 - Confidentiality of District records, including educator evaluations and private e-mail addresses. *[See Policy GBA]*
 - Copyright law *[See Policy CY]*
 - Prohibition against harming others by knowingly making false statements about a colleague or the school system. *[See Policy DH (EXHIBIT)]*

See *Use of Electronic Media with Students*, below, for regulations on employee communication with students through electronic media.

Use of Electronic Media with Students

Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the District. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the District

through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgment by the parent that:

- The employee has provided the parent with a copy of this protocol;
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from District regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

The following definitions apply for the use of electronic media with students:

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). *Electronic media* also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*; however, the employee may be subject to District regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, administrators, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists and athletic trainers.

An employee who uses electronic media to communicate with students shall observe the following:

- The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
 - The employee shall include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
 - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
 - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s District e-mail address.
- The employee shall limit communication to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of 9:00 p.m. and 8:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communication with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. *[See Policies CPC and FL]*
 - Copyright Law *[Policy CY]*
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. *[See Policy DF]*

- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

Alcohol and Drug-Abuse Prevention

Policies DH, DI

Ysleta ISD is committed to maintaining an alcohol and drug-free environment and will not tolerate the use of alcohol and/or illegal drugs in the workplace and at school related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The District's policy regarding employee drug use is as follows:

ALCOHOL AND DRUGS An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

EXCEPTIONS An employee who manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee's personal use shall not be considered to have violated this policy.

Drug-Free Workplace Notice

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace.

Employees who violate this prohibition shall be subject to disciplinary sanctions. Sanctions may include:

- Referral to drug and alcohol counseling or rehabilitation programs;
- Referral to employee assistance programs;
- Termination from employment with the District; and
- Referral to appropriate law enforcement officials for prosecution.

As a condition of employment, an employee shall:

- Abide by the terms of this notice; and
- Notify the Superintendent, in writing, if the employee is convicted for a violation of a criminal drug statute occurring in the workplace. The employee must provide the notice in accordance with DH(LOCAL).

*This notice complies with the requirements of the federal Drug-Free Workplace Act.
(41 U.S.C. 702)*

Tobacco Products and E-Cigarette Use

Policies DH, FNCD, GKA

State law prohibits smoking, using tobacco products, or e-cigarettes on all District-owned property and at school-related or school-sanctioned activities, on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of District-owned vehicles are prohibited from smoking, using tobacco products, or e-cigarettes while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

Fraud and Financial Impropriety

Policy CAA

All employees should act with integrity and diligence in duties involving the District's financial resources. The District prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety includes the following:

- Forgery or unauthorized alteration of any document or account belonging to the District;
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document;
- Misappropriation of funds, securities, supplies, or other District assets, including employee time;

- Impropriety in the handling of money or reporting of District financial transactions;
- Profiteering as a result of insider knowledge of District information or activities;
- Unauthorized disclosure of confidential or proprietary information to outside parties;
- Unauthorized disclosure of investment activities engaged in or contemplated by the District;
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the District, except as otherwise permitted by law or District policy;
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment;
- Failing to provide financial records required by federal, state, or local entities;
- Failing to disclose conflicts of interest as required by law or District policy;
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards; and
- Any other dishonest act regarding the finances of the District.

Fraud, Abuse and Waste Hotline (915) 595-4367

Conflict of Interest

Policy CB, DBD

Employees are required to disclose in writing to the District any situation that creates a potential conflict of interest with proper discharge of assigned duties and responsibilities or creates a potential conflict of interest with the best interests of the District. This includes the following:

- A personal financial interest;
- A business interest;
- Any other obligation or relationship; or
- Non-school employment.

Employees should contact their supervisor for additional information.

Gifts and Favors

Policy DBD

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, electronic textbooks, instructional materi-

als or technological equipment may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials, such as maps or worksheets that convey information to students or contribute to the learning process.

Prizes, Gifts, and Gift Certificates

In order to remain in compliance with Federal law, the following guidelines are in place for reporting the acceptance of prizes, gifts, and gift certificates from the *employer* to the *employee*:

- All prizes, gifts and gift certificates in excess of \$25.00 will be considered taxable earning and must be reported on the W-2.
- Any gift certificate, regardless of dollar amount, that are cash equivalents will be considered taxable earning and must be reported on the W-2. For example, a \$5.00 gift card from Wal-Mart.
- The source of the gift does not affect the above.
- The payroll department has developed a form whereby the employee will accept the gift and acknowledge the tax consequences. This form will be used to increase their earnings accordingly.

Associations and Political Activities

Policy DGA

The District will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization. An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Use of District resources, including work time, for political activities is prohibited.

Charitable Contributions

Policy DG

The Board or any employee may not directly or indirectly require or coerce an employee to make a contribution to a charitable organization or in response to a fundraiser. Employees cannot be required to attend a meeting called for the purpose of soliciting charitable contributions. In addition, the Board or any employee may not directly or indirectly require or coerce an employee to refrain from making a contribution to a charitable organization or in response to a fundraiser or attending a meeting called for the purpose of soliciting charitable contributions.

Dress and Grooming

Policy DH

The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors.

Cell Phone Use

Personal cell phones are not to be used during the instructional day or during scheduled working hours, unless it is a District-related business matter. Cell phones may be used during lunch breaks, designated break times, and conference periods.

Safety

Policy CK series

The District has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, co-workers, and students and to protect and conserve District equipment, employees must comply with the following requirements:

- Observe all safety rules;
- Keep work areas clean and orderly at all times;
- Immediately report all accidents to their supervisor; and
- Operate only equipment or machines for which they have training and authorization.

Employees with questions or concerns relating to safety programs and issues can contact the Risk Management Department at 434-0482.

Criminal History and Background Checks

Policy DBAA

Employees shall be subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on certain employees and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the District and SBEC with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

Employee Arrests and Convictions

Policy DH

An employee must notify his or her principal or immediate supervisor within three (3) calendar days of ANY arrest, indictment, conviction, no contest or

guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

- Crimes involving school property or funds;
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
- Crimes that occur wholly or in part on school property or at a school-sponsored activity;
- Crimes involving moral turpitude.

Moral turpitude includes the following:

- Dishonesty;
- Fraud;
- Deceit;
- Theft;
- Misrepresentation;
- Deliberate violence;
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
- Crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance;
- Felonies involving driving while intoxicated (DWI);
- Acts constituting abuse or neglect under the SBEC rules.

If an educator is arrested or criminally charged, the Superintendent is also required to report the educators' criminal history to the Division of Investigations at TEA.

The supervisor will immediately notify Employee Relations for review of the matter. An employee who is convicted of or receives deferred adjudication for any such offense must also report that event to the principal, direct supervisor, or Employee Relations within three (3) calendar days.

Possession of Firearms and Weapons

Policies FNCG, GKA

Employees, visitors, and students, including those with a license to carry a concealed handgun, are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. To

ensure the safety of all persons, employees who observe or suspect a violation of the District's weapons policy should report it to their supervisor or call the District's Security office at 434-0193 immediately.

Visitors in the Workplace

Policy GKC

All visitors are expected to enter any District facility through the main entrance and sign in or report to the building's main office. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on District premises should immediately direct him or her to the building office or contact the administrator in charge.

Copyrighted Materials

Policy EFE

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for instructional purposes only. Duplicates are to be used in the classroom for educational purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

Asbestos Management Plan

Policy CKA

The District is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each piece of District property. A copy of the District's management plan is kept in the Facilities office and is available for inspection during normal business hours.

Pest Control Treatment

Policies CLB, DI

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the District's integrated pest management program.

Notices of planned pest control treatment will be posted in a District building 48 hours before the treatment begins. Notices are generally located in the Custodial office. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written, or electronic means. Pest control information sheets are available from campus principals or facility managers upon request.

GENERAL PROCEDURES

Bad Weather Closing

The District may close schools because of bad weather or emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the District's facilities. When it becomes necessary to open late, to release students early, or to cancel school, District officials will post a notice on the District's website and notify the following radio and television stations:

KHEY	1380 AM/96.3 FM	351-5400 or 880-9696
KPRR	102.1 FM	351-5400 or 880-5777
KTSM	690 AM/99.9 FM	351-5400 or 880-9909
KLAQ	95.5 FM	880-4955
KROD	600 AM	880-5763 or 544-9550
KSII	93.1 FM	880-9393
KINT	93.9 FM	581-1126
KOFX	92.3 FM	581-1126 or 880-9292
KHRO	1650 AM	581-1126
KBNA	920 AM/97.5 FM	544-0235 or 880-9736
KTEP	88.5 FM	747-5153 or 880-5837
KDBC	Channel 4	
KTSM	Channel 9	
KVIA	Channel 7	
KFOX	Channel 14	
KINT	Channel 26	
XHIJ	Channel 44	

Emergencies

Policies CKC, CKD

All employees should be familiar with the safety procedures for responding to a medical emergency and the evacuation diagrams posted in their work areas. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all District buildings. Employees should know the location of these devices and procedures for their use.

Accounting Procedures

- Returns must be credited back to the District. No reward or gift cards are to be utilized.
- District property may not be utilized for personal benefit.
- Product must be delivered to the District address prior to receipt in finance system.
- All monies collected at campus level must be deposited into a District bank account.

Energy Management Procedures

- All employees must seek authorization from Energy Management to access automated controls system.
- Transactions involving HVAC and lighting equipment must go through Energy Management.
- Damages impacting service utilities must be reported to the Energy Department.
- Collect photo evidence that would support utilities reimbursements.

Purchasing Services Procedures

Policy CH

A purchase order is required for all purchases of product or service. The District will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the District's business office.

Awarded vendors are to be utilized for all District purchases.

Only Purchasing Services Director, Superintendent, or Board President has the authority to sign agreements/contracts/memorandum of understandings/grants, which utilize all funding except student club funds.

Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the Risk Management Department if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. Forms to process a change in personal information can be obtained from Risk Management.

Personnel Records

Policies DBA, GBA

Most District records, including personnel records, are public information and must be released upon request. Employees may choose to have the following personal information withheld:

- Address
- Phone number, including personal cell phone number
- Social Security Number
- Emergency contact information
- Information that reveals whether they have family members
- Personal e-mail address

The choice to not allow public access to this information may be made at any time by submitting a written request to Records Management. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public.

Facility Rental/Building Use

Policies DGA, GKA, GKD

Employees who wish to use District facilities after school hours must follow established procedures. The specific campus is responsible for scheduling use of their facility while Purchasing Services is responsible for Central Office. Contact either the campus designee or Purchasing Services, as applicable, to request use of District facilities and to obtain information on the fees charged.

Car Rental/Auto Liability Insurance

When an employee rents a car for District business, the following precautions are recommended to ensure the District's Auto Liability Insurance is the primary coverage:

- The rental agreement should include the employee's name and "YISD" (ex. John Doe/YISD). If "YISD" is not shown with the employee's name, then the contract is between the rental company and the individual. Therefore, the District's auto policy will not provide coverage.
- The renter should purchase Collision Damage Waiver (CDW). This ensures that if the vehicle is damaged in any way, the rental company's insurance pays all the damages.

As for liability of an employee driving a rental car, the District's policy will respond on behalf of the employee, up to the District's policy limits, but only if "YISD" is shown as a named renter with the individual.

As per regulation CNA-R, rental and/or transportation of students in 15 passenger vans shall be prohibited at all times, regardless of the number of students to be transported.

TERMINATION OF EMPLOYMENT

Resignations

Policy DFE

Contract employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the Human Resources office. Contract employees may resign at any other time only with the approval of the Superintendent or the Board of Trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in *Reports to Texas Education Agency*, on page 66.

Noncontract employees. Noncontract employees may resign their positions at any time. A written notice of resignation should be submitted to the Human Resources office at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

Dismissal or Non-renewal of Contract Employees

Policies DFAA, DFAB, DFBA, DFBB, DFD, DFF, DFFA, DFFB, DFFC

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in District policies. Employees on probationary or term contracts can be non-renewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or non-renewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF series policies that are available to employees on the District's website (www.yisd.net).

Dismissal of Noncontract Employees

Policy DCD

Noncontract employees are employed at-will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the District to dismiss any employee for reasons of race, color, religion, gender,

national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the District process outlined in this handbook when pursuing the grievance. See *Complaints and Grievances*, page 26.

Exit Interviews and Procedures

Policies DC, CY

Exit interviews will be scheduled for all employees leaving the District. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the District with a forwarding address and phone number and complete a questionnaire that provides the District with feedback on his or her employment experience. All District keys, books, property including intellectual property, and equipment must be returned upon separation from employment.

Reports to the Texas Education Agency

Policies DF, DHB

The dismissal of a certified employee must be reported to the Division of Investigations at TEA whenever the termination is based on evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor or any other unlawful conduct with a student or minor;
- Soliciting or engaging in sexual conduct or a romantic relationship with a student or minor;
- The possession, transfer, sale, or distribution of a controlled substance;
- The illegal transfer, appropriation, or expenditure of District or school property or funds;
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation;
- Committing a criminal offense or any part of a criminal offense on District property or at a school-sponsored event.

The Superintendent is also required to notify TEA when a certified employee resigns and there is evidence that the educator engaged in the conduct listed above.

The reporting requirements above are in addition to the Superintendent's ongoing duty to notify TEA when a certified employee has a reported criminal history. "Reported criminal history" means any formal criminal justice system charg-

es and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction.

Reports Concerning Court-Ordered Withholding

The District is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance to the court and the individual receiving the support (Texas Family Code §§8.210, 158.211).

Notice of the following must be sent to the court and support recipient:

- Termination of employment not later than the seventh (7) day after the date of termination;
- Employee's last known address; and
- Name and address of the employee's new employer, if known.

STUDENT ISSUES

Equal Educational Opportunities

Policies FB, FFH

Ysleta ISD does not discriminate on the basis of race, color, religion, national origin, gender, genetic information or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination of students based on sex, including sexual harassment should be directed to the District's Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to the Executive Director of Special Education at 434-0905, the District ADA/Section 504 coordinator.

Student Records

Policy FL

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records.

The following people are the only people who have general access to a student's records:

- Parents: Married, separated, or divorced, unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights;

- The student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. The District is not prohibited from granting the student access to the student's records before this time;
- School officials with legitimate educational interests.

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal or registrar for assistance.

Parent and Student Complaints

Policy FNG

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the Board has adopted orderly processes for handling complaints on different issues. Any campus office or the Superintendent's office can provide parents and students with information on filing a complaint.

Parents are encouraged to discuss problems or complaints with the teacher or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

Administering Medication to Students

Policy FFAC

Only designated employees may administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. Exceptions apply to the self-administration of asthma medication, medication for anaphylaxis (e.g., EpiPen[®]), and medication for diabetes management, if the medication is self-administered in accordance with District policy and procedures. A student who must take any other medication during the school day must bring a written request from his or her parent and the medicine, in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

Dietary Supplements

Policies DH, FFAC

District employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her school District duties. In addition, employees may not knowingly endorse or

suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

Psychotropic Drugs

Policy FFAC

A psychotropic drug is a substance used in the diagnosis, treatment, or prevention of a disease or as a component of a medication. It is intended to have an altering effect on perception, emotion, or behavior and is commonly described as a mood- or behavior-altering substance.

District employees are prohibited by state law from doing the following:

- Recommending that a student use a psychotropic drug;
- Suggesting a particular diagnosis; and/or
- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student.

Student Conduct and Discipline

Policies in the FN series, FO series

Students are expected to follow the classroom rules, campus rules, and rules listed in the Student Handbook and Student Code of Conduct. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by the District. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or campus principal.

Student Attendance

Policy FEB

Teachers and staff should be familiar with the District's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, the student, upon returning to school, must bring a note signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

Bullying

Policy FFI

All employees are required to report student complaints of bullying to the Director of Pupil and Parent Services. The District's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted on page 43 of the Employee Handbook.

Hazing

Policy FNCC

Students must have prior approval from the principal or designee for any type of “initiation rites” of a school club or organization. While most initiation rites are permissible, engaging in or permitting “hazing” is a criminal offense. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing, or has engaged in hazing must report that fact or suspicion to a campus administrator.



Ysleta Independent School District Handbook 2015-2016

Name: _____

Employee ID: _____

Location: _____

EMPLOYEE HANDBOOK RECEIPT

I hereby acknowledge the receipt of the Ysleta ISD Employee Handbook in a hard copy or in an electronic format. I agree to read the handbook and abide by the standards, policies, and procedures defined and referenced in this document.

The information in this handbook is subject to change. I understand that changes in District policies may supersede, modify, or render obsolete the information summarized in the booklet. As the District provides updated policy information, I accept responsibility for reading and abiding by the changes.

I understand that no modification to contractual relationships or alterations of at-will employment relationships is intended by this handbook.

I understand that I have an obligation to inform Risk Management and my supervisor or department head of any changes in personal information, such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the Employee Relations Department if I have questions or concerns or need further explanation.

Please sign your name as it appears on the top of this page.

Signature

Date



Ysleta Independent School District Handbook 2015-2016

Name: _____

Employee ID: _____

Location: _____

YSLETA ISD ACCEPTABLE USE GUIDELINES

Ysleta ISD makes no guarantee of any kind, whether expressed or implied, for the technology services it is providing with regard to computers, networks, and/or internet services. Ysleta ISD will not be responsible for any damages a user may suffer, including loss of data or interruptions in service. Ysleta ISD will not be responsible for the accuracy or quality of information obtained through Ysleta technology resources or the Internet.

“I understand and will abide by the Ysleta ISD Acceptable Use Guidelines. I further understand that any violation of the Acceptable Use Guidelines is unethical and may constitute a criminal offense. Should I commit any violation my access privileges will be revoked and/or appropriate disciplinary actions may be taken.”

Signature

Date



Ysleta Independent School District Handbook 2015-2016

Name: _____

Employee ID: _____

Location: _____

AUTHORIZATION TO VERIFY CREDENTIALS

I understand that, pursuant to Texas Education Code 22.083, the District may obtain criminal record history information on applicants for employment. In addition, pursuant of Texas Education Code 21.048(c-1), the District may also obtain the results of any certification examinations, status of current certifications, licensures, or other credentials required as a condition of my employment with the District. I authorize the District to request information concerning my employment; and hereby authorize the release of information and further release from liability any and all parties who may supply personal information concerning my employment and education background to the Ysleta Independent School District. This authorization revokes and supersedes any previous release agreements.

Signature

Date



Ysleta Independent School District Handbook 2015-2016

Name: _____

Employee ID: _____

Location: _____

PERSONAL USE OF ELECTRONIC MEDIA

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.

As role models for the District's students, employees are responsible for their public conduct even when they are not acting as District employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic media for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the District's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct District business.
- The employee shall not use the District's logo or other copyrighted material of the District without express, written consent.

- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on District business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
 - Confidentiality of student records. *[See Policy FL]*
 - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. *[See Policy DH (EXHIBIT)]*
 - Confidentiality of District records, including educator evaluations and private e-mail addresses. *[See Policy GBA]*
 - Copyright law *[See Policy CY]*
 - Prohibition against harming others by knowingly making false statements about a colleague or the school system. *[See Policy DH (EXHIBIT)]*

See *Use of Electronic Media with Students*, below, for regulations on employee communication with students through electronic media.

Signature

Date



Ysleta Independent School District Handbook 2015-2016

Name: _____

Employee ID: _____

Location: _____

USE OF ELECTRONIC MEDIA WITH STUDENTS

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the District. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the District through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgment by the parent that:

- The employee has provided the parent with a copy of this protocol;
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from District regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

The following definitions apply for the use of electronic media with students:

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). *Electronic media* also includes

all forms of telecommunication such as landlines, cell phones, and web-based applications.

- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*; however, the employee may be subject to District regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, administrators, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists and athletic trainers.

An employee who uses electronic media to communicate with students shall observe the following:

- The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
 - The employee shall include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
 - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
 - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee's District e-mail address.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students

through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.

- The employee shall not communicate directly with any student between the hours of 9:00 p.m. and 8:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. *[See Policies CPC and FL]*
 - Copyright Law *[Policy CY]*
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. *[See Policy DF]*
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor. Such exceptions shall not apply unless it is granted in writing.

Signature

Date

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Ysleta Independent School District

2015-2016 DISTRICT CALENDAR

July						
S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August						
S	M	T	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September						
S	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October						
S	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November						
S	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December						
S	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

July
1-3
6-10
13-17

District Holiday
Eng. I & II EOC; TAKS Exit Level Retest
EOC for Algebra I, Biology, & US History

August
10-14
17-21
24

Student Registration/ New Teacher Induction
Professional Development/Convocations/Teacher Prep Day
First Instructional Day/ First Day of the First Semester

September
7
22
29

Labor Day/District Holiday
Parent Conference/ Full Day Instruction (High School)
Parent Conference/ Full Day Instruction (Middle School)

October
6
12
19-22
23
28

Parent Conference/ Full Day Instruction (Elementary School)
Columbus Day/District Holiday
TAKS Exit Level Retest
End of 1st Nine Weeks
Early Release Campus PD/ Students Half-Day (4 Hours)

November
11
19
20
23-27

Veteran's Day/ District Holiday
Early Release Campus PD/ Students Half-Day (4 Hours)
Campus Professional Development/ No Students (Waiver)
Thanksgiving Break

December
7-11
18
21-31

EOC English I & II, Algebra I, Biology, & US History
End of First Semester/ End of 2nd Nine Weeks
Winter Break

January
1
4
5
6
18
27

Winter Break
Holiday Exchange Days/Professional Development
Holiday Exchange Days/Professional Development (Waiver)
First Day of Second Semester/ Students Report Back to School
Martin Luther King Jr. Day/ District Holiday
Early Release Campus PD/ Students Half-Day (4 Hours)

February
9
15
16
29

Parent Conference/ Full Day Instruction (Elementary School)
Parent Conference/ Full Day Instruction (High School)
Parent Conference/ Full Day Instruction (Middle School)
TAKS Exit Level Retest

March
1-3
4
7-11
14-18
25
29-31

TAKS Exit Level Retest
End of 3rd Nine Weeks
Spring Break
TELPAS Reading
Good Friday/ District Holiday/ Inclement Weather Make-up Day
Eng. I & II EOC; Grades 4 & 7 Writing; Grades 5 & 8 Reading and Math

April
1
19-22

Eng. I & II EOC; Grades 4 & 7 Writing; Grades 5 & 8 Reading and Math
TAKS Exit Level Retest; Grades 3,4,6,7 Rdg & Math, 5 & 8 Science, 8 Social Studies

May
2-6
9-13

EOC for Algebra I, Biology, & US History
EOC English III & Algebra II; Grades 3,4,6,7 Rdg & Math, 5 & 8 Science, 8 Social Studies
Grade 5 & 8 Rdg & Math Retest
Memorial Day/ District Holiday/ Inclement Weather Make-up Day

June
7
21-24

End of Second Semester/ Last Instructional Day
Grade 5 & 8 Reading & Math Retest

July
4-8
11-15

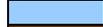
District Summer Holiday
EOC English I & II, Algebra I, Biology & US History; TAKS Exit Level Retest

Instructional Days

Semester 1 77

Semester 2 103

Legend:

	Holiday/Non-Duty Day		Beginning/End of Semester
	Professional Development		End of Grading Period
	STAAR/TAKS Testing		Early Release Day
	Student Registration		Parent Conference
	Inclement Weather Make-up Day		Students Return from Winter Break

January						
S	M	T	W	Tr	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February						
S	M	T	W	Tr	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

March						
S	M	T	W	Tr	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April						
S	M	T	W	Tr	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May						
S	M	T	W	Tr	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June						
S	M	T	W	Tr	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July						
S	M	T	W	Tr	F	Sa
						1
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

This academic calendar is intended for use by YISD students, parents and guardians, district employees, and the community for planning. It is not intended for payroll purposes. Employees should confirm with Payroll/HR their actual days of employment per their assigned schedule.



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