

# Hays CISD

## 2018–2019 Employee Handbook

If you have difficulty accessing the information in this document because of a disability, please e-mail [linda.rosebrock@hayscisd.net](mailto:linda.rosebrock@hayscisd.net).



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# Introduction

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 Mr. Jim Baker, Chief Human Resource Officer.

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. District policies can be accessed online at [www.hayscisd.net](http://www.hayscisd.net).

Employees working together ensures that Hays Consolidated Independent School District is a great place for students!

# District Information

Located in North Central Hays County, the Hays Consolidated Independent School District covers 221 square miles. The district has 24 campuses serving nearly 20,000 students.

Our campuses consist of two 4-year high schools (grades 9-12), six middle schools (grades 6-8), fourteen elementary schools (grades ranging pre-K – 5), an alternative high school of choice, and disciplinary campus.

The district features a state-of-the-art Performing Arts Center; a dual-language magnet program at two elementary campuses; advanced placement courses; and, PE, music, art and library included in the weekly rotation at the elementary level.

- Enrollment has increased annually for more than 10 years, with significant growth occurring the past five years
- Teacher mentor program to provide ongoing support, challenge, and inspire teachers to be competent, confident and compassionate to impact student achievement and lifelong success.
- Active Education Foundation that awards thousands of dollars to teachers for innovative programs
- Formal volunteer, mentor and Partners in Education programs
- One of the lowest total tax rates among Central Texas fast-growth districts
- Advanced high school robotics and internationally recognized music program
- Project Lead the Way designation at both comprehensive high schools
- A science, technology, engineering and math (STEM) magnet for 4<sup>th</sup> and 5<sup>th</sup> grade students at four elementary campuses
- Two regional HEB Excellence in Education Principal winners and several teacher winners

## Mission Statement, Goals, and Objectives

### *Policy AE*

*The mission of Hays CISD, an innovative community of learners that values the diversity and legacy of the people, is to nurture students to become extraordinary citizens through unique, personal educational experiences.*

## District Strategic Objectives

- **Strategy 1:** We will revolutionize the learning experience by meeting the needs of 21st Century learners through relevant curriculum and engaging instruction guided by personalized education plans.
- **Strategy 2:** We will remove barriers to student performance by assessing physical, social and emotional needs and providing necessary supports.
- **Strategy 3:** We will create an employee-friendly organization based on the ideals of trust and communication.
- **Strategy 4:** We will actively establish relationships with community and business groups to enhance educational opportunities in support of the District's mission.
- **Strategy 5:** We will develop infrastructure to support robust technology integration across the organization and all curricula.
- **Strategy 6:** We will infuse instruction with environmental stewardship and integrate sound environmental practices into facility design, construction, and operation.

## 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 professional staff, and facilities. The board has complete and final control over school matters within limits established by state and federal laws 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 May and serve three-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

Current board members include:

- Teresa Tobias - District 1
- Willie Tenorio, Jr. - District 2
- Dr. Michael Sanchez. - District 3
- Merideth Keller - District 4
- Esperanza Orosco - District 5
- Vanessa Petrea - Trustee At-Large
- Will McManus – Trustee At-Large

The board usually meets on the third and fourth Monday at Jack C. Hays High School, August through January and at Lehman High School, February through June. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and at the central administration office 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 consulting with attorneys regarding pending litigation.

## Board Meeting Schedule

Thursday, August 30, 2018	Regular Meeting
Monday, September 24, 2018	Regular Meeting
Monday, October 24, 2018	Regular Meeting
Monday, November 26, 2018	Regular Meeting
Monday, December 17, 2018	Regular Meeting
Monday, January 28, 2019	Regular Meeting
Monday, February 25, 2019	Regular Meeting
Monday, March 25, 2019	Regular Meeting
Monday, April 22, 2019	Regular Meeting
Monday, May 28, 2019	Regular Meeting
Monday, June 24, 2019	Regular Meeting

## Helpful Contacts

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed below.

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## Administration

Superintendent of Schools	Dr. Eric Wright	268-2141, ext. 46051
Chief Academic Officer	Sandra Dowdy	268-2141, ext. 46057
Chief Communications Officer	Tim Savoy	268-2141, ext. 46090
Chief Financial Officer	Annette Folmar	268-2141, ext. 46060
Chief Human Resources Officer	Jim Baker	268-2141, ext. 46007
Chief Operations Officer	Max Cleaver	268-2141, ext. 46062
Chief Technology Officer	Dianne Borreson	268-2141, ext. 46082
Deputy Academic Officer	Dr. Jennifer Garcia	268-2141, ext. 45098

Deputy Academic Officer	Sami Kinsey	268-2141, ext. 45082
Deputy Academic Officer	Dr. Michael O'Guin	268-2141, ext. 45023
Director of Human Resources	Linda Hall	268-2141, ext. 46027
Director of Special Programs	Nadine Hogan	268-8250, ext. 46954
Director of Academic Support	Dr. Dustin Breithaupt	268-2141, ext. 45030
Director of Benefits	Cynthia Botello	268-2141, ext. 46026
Director of Child Nutrition (Southwest Foodservice)	Michael Thibodeaux	268-1336, ext. 45002
Director of Community Partnerships	Angie Mendez	268-2141, ext. 46078
Director of CTE	Suzi Mitchell	268-2141, ext. 45047
Director of Curriculum and Instruction	Derek McDaniel	268-2141, ext. 45050
Director of Digital Learning	Jeannine Freeman	268-2141, ext. 45029
Director of Early Childhood and Extended Day Programs	Patty Santoyo	268-2141, ext. 46038
Director of Employee Services	Lisa Thomas	268-2141, ext. 46013
Director of Extra and Co-curricular Activities	Betsy Russell	268-2141, ext. 45018
Director of Federal, State Reports & Grants	Dr. Sharrah Pharr	268-2141, ext. 45044
Director of Grounds	Jaime Franco	268-2141, ext. 46163
Director of Guidance and Counseling Services	Charlotte Winkelmann	268-2141, ext. 45020
Director of Maintenance	Michael Baker	268-8442, ext. 46168
Director of New Construction/Sustainability	Rod Walls	268-2141, ext. 46089
Director of Operations	Carl Peltier	268-8442, ext. 46117
Director of PK -12 Multilingual Education	Patricia Melgar-Cook	268-2141, ext. 45013
Director of Purchasing	Nicole Turner	268-2141, ext. 46063
Director of Safety and Security	(open)	
Director of Student Health Services	Macie Walker	268-2141, ext. 45037
Director of Student Services	Jesus Gomez	268-2141, ext. 46024
Director of Transportation	Filiberto Bonilla	268-2141, ext. 46040
Payroll Coordinator	Rita Gonzales	268-2141, ext. 46066

## School Calendar

<https://www.hayscisd.net/cms/lib/TX02204837/Centricity/Domain/67/000000%201819%20Calendar%20FINAL.pdf>

# School Directory

## **Blanco Vista Elementary School-**

2951 Blanco Vista Blvd.  
San Marcos, TX 78666  
512/268-8506  
Sean Fox, Principal-42301

## **Buda Elementary School**

300 San Marcos Street  
Buda, TX 78610  
512/268-8439-Fax 295-4014  
Tim Robinson, Principal-46731

## **Camino Real Elementary School**

170 Las Brisas Blvd.  
Niederwald, TX 78640  
512/268-8505-Fax 512/398-5599  
Elva Yvette Soliz, Principal-42401

## **Carpenter Hill Elementary School**

4410 RR 967  
Buda, TX 78610  
512/268-8509-FAX 512/295-4049  
Debbie Brown, Principal-42601

## **Elm Grove Elementary School**

801 FM 1626  
Buda, TX 78610  
512/268-8440-Fax 295-6809  
Kathy Faulks, Principal-47101

## **Fuentes Elementary School**

901 Goforth Road  
Kyle, TX 78640  
512/268-7827-Fax 268-5968  
Regina Butcher, Principal-47201

## **Green Elementary School**

1301 Old Goforth Road  
Buda, TX 78610  
512/268-8438-Fax 295-4107  
Jennifer Hanna, Principal-46822

## **Hemphill Elementary School**

3995 East FM 150  
Kyle, TX 78640  
512/268-4688-Fax 268-6208  
Monica Salas, Principal - 47301

## **Kyle Elementary School 101**

500 West Blanco Street  
Kyle, TX. 78640  
512/268-3311-Fax 268-1417  
Karen Lucita, Principal-46925

## **Negley Elementary School**

5940 McNaughton  
Kyle, TX 78640  
512/268-8501-Fax 268-8582  
Melody Crowther, Principal-47003

## **Ralph Pfluger Elementary School**

4951 Marsh Lane  
Buda, TX 78610  
512/268-8510-FAX 512/295-6826  
Kathy Noack, Principal-42701

## **Science Hall Elementary School**

1510 BeBee Road  
Kyle, TX 78640  
512/268-8502-Fax 268-8784  
Karen Zuniga, Principal-42101

## **Tobias Elementary School**

1005 East FM 150  
Kyle, TX 78640  
512/268-8437-Fax 268-8447  
Alisa Dipalma, Principal-47401

## **Uhland Elementary School**

**2331 High Road**  
**Uhland, TX 78640**  
**512/268-8503**  
Cynthia Vasquez, Principal-42901

## **Barton Middle School**

4950 Jack C. Hays Trail  
Buda, TX 78610  
512/268-1472-Fax 268-1610  
Teri Eubank, Principal-46432

## **Chapa Middle School**

3311 Dacy Lane  
Kyle, TX. 78640  
512/268-8500-Fax 295-7824  
Lisa Walls, Principal-47801

## **Dahlstrom Middle School**

3600 FM 967  
Buda, TX 78610  
512/268-8441-Fax 295-5346  
Dr. Michael Watson, Principal-46542

## **McCormick Middle School**

5700 Dacy Lane  
Buda, TX 78610  
James Cruz, Principal-42801

## **Simon Middle School**

3839 East FM 150  
Kyle, TX 78640  
512/268-8507  
Charli Lennon, Principal-42501

## **Wallace Middle School**

1500 West Center Street  
Kyle, TX 78640  
512/268-2891-Fax 268-1853  
Sarah Hodges, Principal-46633

## **Live Oak Academy**

4820 Jack C. Hays Trail  
Buda, TX. 78610  
512/268-8462-Fax 268-4142  
Doug Agnew, Principal-48254

## **Hays High School**

4800 Jack C. Hays Trail  
Buda, TX 78610  
512/268-2911-Fax 268-1394  
David Pierce, Principal-46225

## **Lehman High School**

1700 Lehman Road  
Kyle, TX 78640  
512/268-8454-Fax 268-2146  
Denisha Presley, Principal-47601

## **IMPACT**

4125 FM 967  
Buda, TX 78610  
512/268-8473-Fax 295-5006  
Sylvia Villejo, Principal-46139

## **Special Education Department-960**

451 North Meyer Street  
Kyle, TX 78640  
512/268-8250-Fax 268-8251  
Nadine Hogan, Director-46908

## **Performing Arts Center-011**

979 Kohler's Crossing  
Kyle, TX 78640  
512/268-8443-Fax 268-6051  
Don Riecss, PAC Director-47501

## **Transportation Department-921**

21009 IH 35  
Kyle, TX 78640  
512/268-8476 or 268-2141- Fax 268-1931  
Filiberto Bonilla, Director-46040

## **Transportation-Beacon Hill-947**

155 Beacon Hill Road  
Buda, TX. 78610  
512/268-8513 – Fax 295-6052  
JD Lesley, Op Specialist-46113

## **Maintenance & Operations-920**

155 Beacon Hill Road  
Buda, TX 78610  
512/268-8442-Fax 295-7099  
Emergency Number 1-888-363-6032  
Michael Baker, Director

## **Child Nutrition-925**

5750 Dacy Lane  
Kyle, TX 78640  
512/268-1336-Fax 295-3089  
Michael Thibodeaux, Director-45002

# Employment

## Equal Employment Opportunity

*Policies DAA, DIA*

Hays CISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, sex, 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 about discrimination based on sex, including sexual harassment should contact the chief human resource officer, the district Title IX coordinator. Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

## Job Vacancy Announcements

*Policy DC*

Announcements of job vacancies by position and location are posted on a regular basis to the district's website.

## Employment after Retirement

*Policy DC*

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed under certain 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.texas.gov](http://www.trs.texas.gov)).

## 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 nonrenewal 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 or continuing 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 accessed online or copies will be provided upon request.

**Noncertified Professional and Administrative Employees.** Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) are not employed by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

**Paraprofessional and Auxiliary Employees.** All paraprofessional and auxiliary 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 certification specialist 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 certification specialist if you have any questions regarding certification or licensure requirements.

## **Recertification of Employment Authorization**

### *Policy DC*

At the time of hire all employees must complete the Employment Eligibility Verification Form (Form I-9) and present documents to verify identity and employment authorization.

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact human resources if you have any questions regarding reverification of employment authorization.

## **Searches and Alcohol and Drug Testing**

### *Policy CQ, DHE*

Noninvestigatory 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 technology resources, 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, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

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, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact the transportation department.

## **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 to the director of extracurricular activities

## **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 that wishes to transfer to another campus or department may apply to a posting through TalentEd. 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.

## **Workload and Work Schedules**

*Policies 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 Auxiliary 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 auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See Overtime Compensation for additional information.

## **Breaks for Expression of Breast Milk**

*Policies 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. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. 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 Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements.

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 notice under ESSA 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 human resources department at 512.268.8975.

## **Outside Employment and Tutoring**

### *Policy DBD*

Employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the district. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest.

## **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 at least annually. 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.

## **Employee Involvement**

### *Policies BQA, BQB*

At both the campus and district levels, Hays CISD 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 Director of Federal, State Reports & Grants.

## **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, and approved by a campus-level advisory committee. Staff development for noninstructional 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 time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*)

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 payroll department for more information about the district's pay schedules or their own pay.

## Paychecks

All professional and salaried employees are paid monthly. Hourly employees are paid every two weeks. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization.

The schedule of pay dates for the 2018-19 school year follows:

### Monthly

August 28, 2018	February 28, 2019
September 28, 2018	March 28, 2019
October 26, 2018	April 26, 2019
November 28, 2018	May 28, 2019
December 21, 2018	June 28, 2019
January 25, 2019	July 26, 2019

### **Semi-Monthly**

September 14, 2018	March 15, 2019
September 28, 2018	March 29, 2019
October 12, 2018	April 15, 2019
October 31, 2018	April 30, 2019
November 15, 2018	May 15, 2019
November 30, 2018	May 31, 2019
December 14, 2018	June 14, 2019
December 21, 2018	June 28, 2019
January 15, 2019	July 15, 2019
January 31, 2019	July 31, 2019
February 15, 2019	August 15, 2019
February 28, 2019	August 30, 2019

## **Automatic Payroll Deposit**

Employees can have their paychecks electronically deposited into a designated account. A notification period of two pay cycles is necessary to activate this service. Contact the payroll coordinator 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) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

Other payroll deductions 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 or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to 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. 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 advance approval from their supervisor. A nonexempt employee who works overtime without prior approval will be subject to disciplinary action.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins 12:00 a.m. Sunday and ends at 11:59 p.m. Saturday.

Nonexempt employees that are paid on a salary basis are paid for the hours set by the normal work schedule. Hours worked beyond the normal schedule up to 40 hours will be paid at a regular rate of pay.

Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) 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.
- 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 may 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.

## **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 allowable expenses other than mileage.

## **Health, Dental, and Life Insurance**

### *Policy CRD*

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school employee health insurance program. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Employees eligible for health insurance coverage include the following:

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are employed for 10 or more regularly scheduled hours per week

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact the director of benefits for more information.

## **Supplemental Insurance Benefits**

### *Policy CRD*

Eligible employees may enroll in supplemental insurance programs for dental, vision, long term disability, life, cancer, accident, etc. You must work 20 or more hours per week and must pay 100% of the supplemental benefit premiums. Premiums for these programs can be paid by payroll deduction. Employees should contact [InsuranceBenefits@hayscisd.net](mailto:InsuranceBenefits@hayscisd.net) for more information.

**New Employees and/or Qualifying Event.** Employees have 31 calendar days from the date of hire to enroll or decline benefits offered through the district. The declination applies to all individuals choosing not to be covered by TRS-ActiveCare. This will facilitate the federal mandatory reporting for health coverage and assists with our efforts to fulfill reporting requirements of all eligible participants that are not participating in TRS-ActiveCare.

Employees who do not enroll within this time frame may not enroll until the next annual open enrollment unless they experience a qualifying event. Employees may not revoke or change any pre-taxed elections during the plan year unless they experience a qualifying event.

A “qualifying event” is defined as (among others): loss of coverage, marriage, divorce or a change in family status. If you experience a “qualifying event” and want to change your benefit election you must provide documentation of the event to the district benefits coordinator within 31 days of this event. Any change in benefit election must be consistent with the qualifying event.

**Employees Who Leave the District.** Employees who leave the district may continue their health coverage under COBRA (continuation of benefits) for up to 18 months. Employees should contact the Hays CISD Benefits Department at [InsuranceBenefits@hayscisd.net](mailto:InsuranceBenefits@hayscisd.net) for additional 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, accidental death and dismemberment, cancer and dread disease, dental, and additional term life insurance). 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 district has workers' compensation in-network coverage with Texas Mutual Insurance, effective September 1, 2017.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the director of employee services. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, 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 the director of employee services.

## **Teacher Retirement**

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 both the payroll department and the human resources department 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. TRS information is also available on the web ([www.trs.texas.gov](http://www.trs.texas.gov))

## **Other Benefit Programs**

### *Policy FDA*

Children of non-resident district employees may attend district schools tuition free.

### **Dear Oaks Employee Assistance Program Services**

The Deer Oaks Employee Assistance Program (EAP) is a free service provided for you and your dependents by your employer. This includes retirees and employees who have recently separated from their employer. This program offers a wide variety of counseling, referral, and consultation services, which are all designed to assist you and your family in resolving work/life issues in order to live happier, healthier, more balanced lives. These services are completely confidential and can be easily accessed by calling the toll-free Helpline. For 24/7 Assistance, Call (866) 327-2400 or at [www.deeroakseap.com](http://www.deeroakseap.com). Log in with the user name and password HCISD.

## **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 days should call the director of employee services for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

All employees shall earn five workdays of paid local leave per school year. A day of earned leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. A "workday" for purposes of earning, use, or recording shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time. Employees hired after September 1 shall be granted days on a prorated basis. Local leave shall accumulate to a maximum of 60 days. Local leave may be used with the same restrictions as state personal leave.

Paid leave must be used in full or half day 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 accumulated before the 1995-96 school year
- State personal leave

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

**Immediate Family.** For purposes of leave other than family and medical leave, immediate family is defined as the following:

- Spouse
- Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis.
- Parent, stepparent, parent-in-law, or other individual who stands in loco parentis to the employee.
- Sibling, stepsibling, and sibling-in-law
- Grandparent and grandchild
- Any person residing in the employee's household at the time of illness or death

For purposes of family and medical leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin. The definition of these are found in Policy DECA (LEGAL).

**Medical Certification.** Any employee, who is absent more than five days because of a personal or family illness, must submit a medical certification from a qualified health care provider 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 an 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 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 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 principal or supervisor three days in advance of the anticipated absence. 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.

**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 only in full or half day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

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

- Employee illness
- Illness in the employee's immediate family
- Family emergency (i.e., natural disasters or life-threatening situations)
- Death in the immediate family
- Active military service

## Local Leave

All employees shall earn five workdays of paid local leave per school year. A day of earned leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. A "workday" for purposes of earning, use, or recording shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time. Employees hired after

September 1 shall be granted days on a prorated basis. Local leave shall accumulate to a maximum of 60 days. Local leave may be used with the same restrictions as state personal leave.

## **Sick Leave Bank (or Pool)**

All district employees who earn state and local leave are eligible to join the Catastrophic Leave Bank (CLB). Members can apply for a maximum of 30 CLB leave days during a school year when they, or a member of their immediate family, qualify for catastrophic leave. CLB days can only be used after **ALL** state and local leave has been used.

Employees wishing to join the CLB must contribute three (3) of their accumulated local leave days upon employment or during the open enrollment period from August 1 through August 31 of each year. It is a one-time contribution unless CLB is granted during a school year. New personnel employed after the enrollment period must join the CLB within thirty (30) days of beginning employment. Joining the CLB is strictly voluntary.

## **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.

### **Leave Entitlements**

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

## **Benefits and Protections**

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

## **Eligibility Requirements**

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

## **Requesting Leave**

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection.

Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

## **Employer Responsibilities**

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also

provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

### **Enforcement**

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, 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 that provides greater family or medical leave rights.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627, or  
[www.wagehour.dol.gov/whd/](http://www.wagehour.dol.gov/whd/)

## **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.

**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.

**Fitness for Duty.** An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee's ability to perform essential job function is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider.

**Reinstatement.** An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employees group health insurance and reinstate the employee at the end of the leave according to the procedures outlined in policy (see DECA (LEGAL)).

**Failure to Return.** If, at the expiration of FML, the employee is able to return to work but chooses not to do so, the district may require the employee to reimburse the district's share of insurance premiums paid during any portion of FML when the employee was on unpaid leave. If the employee fails to return to work for a reason beyond the employee's control, such as a continuing personal or family serious health condition or a spouse being unexpectedly transferred more than 75 miles from the district, the district may not require the employee to reimburse the district's share of premiums paid.

**District Contact.** Employees that require FML or have questions should contact the director of employee services 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, the director of employee services 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 resume regular duties. 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 job-related illness or injury may be eligible for workers' compensation weekly income benefits if the absence exceeds seven calendar days.

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use accumulated sick leave or any other paid leave benefits. An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or -injury wage. If the use of paid leave is not elected, then the employee will only receive workers' compensation wage benefits for any absence resulting from a work-related illness or injury, which may not equal his or her pre-illness or -injury wage.

## **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 incident involving an assault is a work-related injury, and should be immediately reported to the director of employee services.

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 not 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 years) to recover from the physical injuries 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.

## **Bereavement Leave**

Use of state leave and/or local leave for death in the immediate family shall not exceed five (5) workdays per occurrence, subject to the approval by the district.

## **Jury Duty**

The district provides paid leave to employees who are summoned to jury duty. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the district a copy of the summons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. The supervisor may consider the travel time required and the nature of the individual's position when determining the need to report to work. A copy of the release from jury duty or of documentation of time spent at the court may be required.

## **Compliance with a Subpoena**

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. Employees may be required to submit documentation of their need for leave for court appearances.

## **Truancy Court Appearances**

An employee who is a parent, guardian of a child, or a court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing may use personal leave or compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

## **Religious Observance**

The district will reasonably accommodate an employee's request for absence for a religious holiday or observance. Accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the district. The employee may use any accumulated personal leave for this purpose. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

## **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 when engaged in authorized training or duty orders by proper authority. 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.

Employees returning to work following military leave should contact the director of employee services. In most cases, the length of federal military service cannot exceed five 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 [insurancebenefits@hayscisd.net](mailto:insurancebenefits@hayscisd.net) for details on eligibility, requirements, and limitations.

### **Uniformed Services Employment and Reemployment Rights Act (USERRA)**

USERRA postings can be found on every campus or department.

**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 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 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 (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

### **Enforcement**

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) are 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-US-DOL** or visit its website at <http://www.dol.gov.vets>. An interactive online USERRA Advisor can be viewed at <http://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.

The rights listed here may vary depending on the circumstances. This notice was prepared by VETS, and may be viewed on the internet at this address:

<http://www.dol.gov/vets/programs/userra/poster.pdf>

Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying this notice where they customarily place notices for employees, such as this handbook.

## **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. Recognition and appreciation activities also include Ambassador Awards, luncheons and Hays High Five awards.

### **District Communications**

Throughout the school year, the public information officer's 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. They include the following:

# 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 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. Grievance forms and additional information can be obtained by accessing the following link.

<https://www.hayscisd.net/site/Default.aspx?PageID=327>

For ease of reference, the district's policy concerning the process of bringing concerns and complaints is reprinted as follows:

<http://pol.tasb.org/Policy/Code/621?filter=DGBA>

# 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.
- 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.

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 knew of the incident. See *Reports to the Texas Education Agency*, page 59 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 members 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 be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

**Standard 1.14** The educator shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

## **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 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 endangers 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.

## **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 linked below:

[http://pol.tasb.org/Policy/Download/621?filename=DIA\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/621?filename=DIA(LOCAL).pdf)

## **Harassment of Students**

*Policies DH, DHB, 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 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*, and *Bullying*, for additional information.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is found at the following link: [http://pol.tasb.org/Policy/Download/621?filename=DHB\(LEGAL\).pdf](http://pol.tasb.org/Policy/Download/621?filename=DHB(LEGAL).pdf)

## **Reporting Suspected Child Abuse**

*Policies DG, DH, FFG, GRA*

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §26.001, 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.

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 person with a disability.

Reports to Child Protective Services can be made to [www.txabusehotline.org](http://www.txabusehotline.org) or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

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 as a Class A misdemeanor. 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 agency.

Reporting the concern to the principal does not relieve the employee of the requirement to report it 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 in the district compliance training suite. 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 a failure 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. 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
- Has no adverse effect on job performance or on a student's academic performance

Electronic mail transmissions and other use of the 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 acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact the chief of technology at 512-268-2141 ext. 46022.

## **Personal Use of Electronic Communications**

### *Policy DH*

Electronic communications 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 communications 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 Texas 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 Communications with Students*, below, for regulations on employee communication with students.

# Electronic Communications between Employees and Students

## Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited. Employees are not required to provide students with their personal phone number or e-mail address.

An employee is not subject to provisions regarding electronic communications with a student 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 acknowledgement 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 communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes e-mail, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.
- *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, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who communicates electronically with students shall observe the following:

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- 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 10:00 p.m. and 6:00 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 Texas Educators’ Code of Ethics 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 DHB]
- 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.
- An employee shall notify his or supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

## **Criminal History Background Checks**

### *Policy DBAA*

Employees may 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 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 educator's criminal history to the Division of Investigations at TEA.

## **Alcohol and Drug-Abuse Prevention**

*Policy DH, DI*

Hays CISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol and 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 follows:

[http://pol.tasb.org/Policy/Download/621?filename=DH\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/621?filename=DH(LOCAL).pdf)

[http://pol.tasb.org/Policy/Download/621?filename=DI\(XHIBIT\).pdf](http://pol.tasb.org/Policy/Download/621?filename=DI(XHIBIT).pdf)

## **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 include 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
- Failure to disclose conflicts of interest as required by law or district policy
- Any other dishonest act regarding the finances of the district
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

## **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
- 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 materials 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.

## **Copyrighted Materials**

### *Policy CY*

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. Duplication 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. See specific guidelines below:

<b>PRINT/TEXT/ILLUSTRATIONS GUIDELINES</b>	
<b>Educators &amp; Students MAY Copy</b>	<b>Educators &amp; Students MAY NOT Copy</b>
<p><u>A single copy</u> for scholarly research, preparation to teach class, or use in teaching a:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> chapter from a book,</li> <li><input type="checkbox"/> newspaper or magazine article,</li> <li><input type="checkbox"/> short story, short essay or short poem, or</li> <li><input type="checkbox"/> chart, a graph, a diagram, a drawing, a cartoon or a picture from a book, periodical or newspaper</li> </ul> <p><u>Multiple Copies</u> IF it meets <b>all</b> tests for BREVITY, SPONTANAITY, CUMMULATIVE EFFECT:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <u>Brevity--Poetry</u>: whole poem if poem is less than 250 words or excerpt from a longer poem but not more than 250 words</li> <li><input type="checkbox"/> <u>Brevity--Prose</u>: whole article, story or essay if less than 2,500 words or excerpt not more than 10 % of the work OR less than 1,000 words, whichever is less.</li> <li><input type="checkbox"/> <u>Brevity--Special Works</u> under 2,500 words (ex: children’s books) an excerpt not more than 10 %t of text or maximum of 2 pages</li> <li><input type="checkbox"/> <u>Brevity—Graphics</u>: single chart, graph, diagram, drawing, cartoon, or picture per book or magazine.</li> <li><input type="checkbox"/> Copy limit: one copy per student in course</li> </ul> <p>Note: <u>Copyright notice</u> must be included on all copies</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Items intended to be consumable: workbook pages, coloring books, standardized tests, answer sheets...</li> <li><input type="checkbox"/> As a substitute for purchase of book, magazine or newspaper</li> <li><input type="checkbox"/> Same works multiple semesters or years</li> <li><input type="checkbox"/> Same newspaper, articles from week to week</li> <li><input type="checkbox"/> “Special work” in entirety (ex childrens book)</li> <li><input type="checkbox"/> To create anthologies of varied works</li> <li><input type="checkbox"/> More than one entire item (or two excerpts) from a single author,</li> <li><input type="checkbox"/> More than three articles from a single book or periodical volume during class term</li> <li><input type="checkbox"/> From the same work more than nine times in a semester</li> <li><input type="checkbox"/> For commercial purposes (selling copies of booklet)</li> <li><input type="checkbox"/> Enlarge or modify illustration (a violation of author’s right of adaptation or display)</li> </ul>
<b>MUSIC GUIDELINES*</b>	
<i>Sheet music, songs, lyrics, operas, musical scores, compact disks, or digital audio files</i>	
<b>Educators &amp; Students MAY</b>	<b>Educators &amp; Students MAY NOT</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> Copy portions up to 10% of the work, provided they do not constitute a performable unit or aria,</li> <li><input type="checkbox"/> Make emergency copies not available for an immediate performance, provided purchase replacement copies are on order.</li> <li><input type="checkbox"/> Make single copy of entire performable unit if confirmed to be out-of-print</li> <li><input type="checkbox"/> Educators may make a single copy of performable unit if unavailable except in larger work, if for scholarly research or in preparation to teach a class</li> <li><input type="checkbox"/> Educators may make &amp; retain a single recording a student’s performance for evaluation or rehearsal purposes</li> <li><input type="checkbox"/> Educators may record or copy a sound recording owned by the school or teacher for the purpose of constructing auditory exercises or examinations.</li> <li><input type="checkbox"/> Students may use a portion of commercial music in background IF they initiate it themselves.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Copy sheet music or consumable materials to avoid purchase or payment of royalty fees</li> <li><input type="checkbox"/> Copy for the purpose of performance except as noted in guidelines*</li> <li><input type="checkbox"/> Copy or record a work from one format to another, unless original is obsolete</li> <li><input type="checkbox"/> Use copyright protected music as background without obtaining “synchronization” rights</li> <li><input type="checkbox"/> Educators may not provide more than one copy per student.</li> <li><input type="checkbox"/> Educators may NOT make multiple copies of student’s copyright performance</li> <li><input type="checkbox"/> Copy &amp; omit copyright notice</li> </ul>

SOFTWARE, WEB, & INTERNET	
Educators & Students MAY	Educators & Students May NOT
<ul style="list-style-type: none"> <li><input type="checkbox"/> Copy one back-up archival copy of legally purchased software</li> <li><input type="checkbox"/> Include hyperlink to another website's main or home page</li> <li><input type="checkbox"/> Include original pictures or personally created graphics</li> <li><input type="checkbox"/> Include copyright free or public domain music or graphics</li> <li><input type="checkbox"/> Include copyrighted graphics &amp; citation if copyright holder gives express permission</li> <li><input type="checkbox"/> Include brief music, audio, or video clips per multimedia guidelines</li> <li><input type="checkbox"/> Include shareware or freeware HTML code if the creator gives permission and code is appropriately cited/linked</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Modify, or alter copyrighted graphics without express permission (ex: Adobe Acrobat logo)</li> <li><input type="checkbox"/> Consider internet postings as "public domain" or copyright free</li> <li><input type="checkbox"/> Collect, download, copy materials from Internet &amp; duplicate or compile it into a new work (databases, music files, graphics...)</li> <li><input type="checkbox"/> Fail to include an acknowledgement or credit for sources consulted.</li> <li><input type="checkbox"/> Link to sites suspected of having illegally obtained material or copyright infringements (music files, movie clips, pirated graphics)</li> <li><input type="checkbox"/> Load software on several computers for simultaneous use <u>without</u> specific license to do so</li> <li><input type="checkbox"/> Copy HTML source codes from other web pages.</li> </ul>

## Citations for Crediting Sources

Citations MUST provide the following information: Who, What, When, Where, and How. To understand appropriate use of citations, visit the Purdue University Online Writing Lab (OWL) at <http://owl.english.purdue.edu/owl/section/2/9/>

### Resources

University of Texas, Educational Multimedia Fair Use Guidelines Development Committee at:

<http://www.utsystem.edu/ogc/intellectualproperty/cprtindx.htm>

For younger students, teach the basics and why it is important, sample permission letters and up-to-date producer and publisher contacts. See guidelines at: <http://www.copyrightkids.org/>

## Obtaining Permission to Use Copyrighted Material

Educators and students must obtain permission for the use of copyrighted material beyond the "fair use" guidelines. Acknowledging the source of the copyrighted material does not substitute for obtaining permission. For example, a teacher would like to use the set of copies more than one semester, or perform or show a program for reward or entertainment. When a program is to be publicly shown for parent meetings, or if the school wants to retain the material, such as off-air recordings, beyond the time limitations, permission must be obtained. If the material to be copied, recorded or included in a presentation is altered or changed from its original format, permission is required. Apply for permission early to allow sufficient time for response.

Send your permission request to the correct party. If in doubt, perform record search in Library of Congress Copyright Office of registered copyrights. Warning: a work need not be registered to be copyrighted. Works created after January 1, 1978, are to be considered copyrighted, and symbol is not required.

Be specific in describing the material and the rights you seek.

- Author or editor, title, and edition of the material.
- Exact description of the material to be used or copied, including amount, page numbers, scenes or footage, chapters, any other locator information
- Number of copies to be made.
- Purpose of the copies
- How the material will be distributed or used (e.g., in class, closed circuit, modified for a mural, newsletter.)
- How material will be reproduced, if copied (photocopy, scan, enlarge, or create archival copy).

## **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.

## **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, coworkers, 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.
- Operate only equipment or machines for which they have training and authorization.

While driving on district business, employees are required to abide by all state and local traffic laws. Employees driving on district business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion. Employees will exercise care and sound judgment on whether to use hands-free technology while the vehicle is in motion.

Employees with questions or concerns relating to safety programs and issues can contact 512.268.8975 ext. 46013.

## **Possession of Firearms and Weapons**

### *Policies DH, FNCG, GKA*

Employees, visitors, and students, including those with a license to carry a 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. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided the handgun or firearm or ammunition is properly stored, and not in plain view. 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 superintendent's office 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 the district premises should immediately direct him or her to the building office or contact the administrator in charge.

## **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 school. A copy of the district's management plan is kept in the district administrative 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) department. 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 on the front door of the building as well as two or three other locations around the building. 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 electric means. Pest control information sheets are available from campus principals or facility managers upon request.

## **Indoor Air Quality**

Indoor air quality (IAQ) is the presence of a suspected foreign particle(s) in/on indoor surfaces that may present a health issue to susceptible persons, students, and/or faculty. Requests for IAQ work shall be treated as "urgent" or Priority2 (explained in general work order system).

Once the IAQ concern has been identified by campus or site personnel, the work request shall come to the Maintenance Department as described in the employee handbook. IAQ work orders shall be printed on blue paper, to more easily identify.

Once the IAQ form or work request is reviewed, then the district IAQ designated person shall perform any air samples, tape samples or conduct visual inspections to determine possible cause of contaminates.

Samples are then sent to an independent lab for testing. Once the sample results are completed, a faxed copy of the results are sent to Maintenance, they are read, and any corrective actions are put into place at that time.

Once the test results have been read, a summary of the report findings is then sent to the campus and the results are filed.

Any further actions such as removal of students, faculty, furniture, etc. require the coordination of the Director of Maintenance and IPM/Grounds, the Chief Operations Officer, and the Public Information Officer.

## **Indoor Air Quality Flow Chart**

A report of Indoor Air Quality problems is brought to the attention of the campus nurse.

### **Adult/Teacher Complaint**

Adult fills out the complaint form, turns in a copy to the nurse and principal

Nurse fills out complaint, as described

Principal signs complaint form

Nurse signs and turns into the campus principal for signature

Completed form is faxed to the Maintenance Dept., campus copies filed

Fax is received and entered into CMMS by the maintenance personnel and given a work order number

IAQ complaint copy is attached to work order and given to IAQ technician

IAQ Technician investigates the area or room, determines type of IAQ problem, determines if tests are warranted

If tests are performed, the samples are sent to a biological company for results and recommendations. 3-4 week turn around time on tests results.

Test results are received and copies are sent to the campus. Recommendations are followed.

### **Child/Student Complaint**

Nurse fills out complaint, as described

Principal signs complaint form

Nurse signs and turns into the campus principal for signature

Completed form is faxed to the Maintenance Dept., campus copies filed

Fax is received and entered into CMMS by the maintenance personnel and given a work order number

IAQ complaint copy is attached to work order and given to IAQ technician

IAQ Technician investigates the area or room, determines type of IAQ problem, determines if tests are warranted

If tests are performed, the samples are sent to a biological company for results and recommendations. 3-4 week turn around time on tests results.

Test results are received and copies are sent to the campus. Recommendations are followed.

## Indoor Air Quality Complaint Form

**This form must be filled out and signed.**

Date of complaint: \_\_\_\_\_

Campus: \_\_\_\_\_ Room/Location: \_\_\_\_\_

Teacher/Individual Issuing IAQ Complaint(s): \_\_\_\_\_

This form should be used if the complaint may be related to indoor air quality. IAQ problems include concerns with temperature control, ventilation and air pollutants. Detail documentation can help resolve the IAQ problem as quickly as possible. Please use the space below to describe the nature of the complaint and any potential IAQ causes. Please use only one form per person reporting complaint, including time and day.

---

---

---

What is the best time to reach the person issuing complaint? \_\_\_\_\_

Phone number to reach person issuing complaint? \_\_\_\_\_ Ext. \_\_\_\_\_

---

Completed By	Title	Date Signed
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---

Signature of Principal

---

Date Signed

Once completed, please fax to: Maintenance at 512.295.7099

### **Maintenance Use Only:**

Work Order # \_\_\_\_\_ Received By: \_\_\_\_\_ Date Received: \_\_\_\_\_

## **Other Topics**

Although we have outlined the majority of our policies and procedures throughout this handbook, you can access all of our board policies at [www.hayscisd.net](http://www.hayscisd.net).

In addition to the board policy manual located on the district website, employees can access the district administrative procedures on the X: drive entitled, “administrative procedures.” Numerous procedures related to personnel and students are located in administrative procedures.

# **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 at [www.hayscisd.net](http://www.hayscisd.net), Section A to Z, Inclement Weather. Parents, staff and students will be notified by the Blackboard system, and the district will notify Austin area television stations.

## **Emergencies**

*Policies CKC, CKD*

All employees should be familiar with the safety procedures for responding to emergencies, including 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.

## **Purchasing Procedures**

*Policy CH*

All requests for purchases must be submitted to the business department on a properly drawn and issued purchase order, by electronic transaction, or by use of a District-authorized and -issued procurement card, in accordance with administrative procedures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. 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. Contact the director of purchasing for additional information on purchasing procedures.

## **Name and Address Changes**

Address updates may be completed by going to the Employee Self-Serve portal at [www.hayscisd.net/ess](http://www.hayscisd.net/ess). Click on Personal Information. You will open another window and click on Contact. Click Edit in the field that needs to be updated. Once completed click Save.

Name changes may be completed at [www.hayscisd.net/TalentED](http://www.hayscisd.net/TalentED). Log into TalentEd Records. In the Blank Docs folder, toward the top, you will find a Name Change form. Please complete the required information and upload a copy of your new social security card in the attachment area. Names will not be changed unless we have a valid, updated social security card attached verifying your legal name. Please contact the human resources record technician at ext. 46056 with any questions.

## **Personnel Records**

### *Policy DBA, GBA*

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal e-mail is confidential and may not be released without the employee's permission.

Employees may choose to have the following personal information withheld:

- Address
- Phone number, including personal cell phone number
- 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 the public information office. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public until a request to withhold the information is submitted.

## **Building Use**

*Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. The principal or designee is responsible for scheduling the use of facilities after school hours. Contact the facility use coordinator to request to use school facilities and to obtain information on the fees charged.

# **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 through TalentEd Records. 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 principal is required to notify the superintendent of an educator's resignation following an alleged incident of misconduct for any of the acts listed in *Reports to Texas Education Agency*. The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the said acts.

**Noncontract Employees.** Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to their supervisor 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 Nonrenewal of Contract Employees**

*Policies DF Series*

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 nonrenewed 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 nonrenewal 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 provided to employees or are available online.

## **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 32.)

## **Exit Interviews and Procedures**

Exit interviews are conducted through an online survey link sent via email for all employees leaving the district. Information on payroll, the continuation of benefits, Eduphoria, service records, 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 Texas Education Agency**

### *Policy DF, DHB*

The resignation or termination of a certified employee must be reported to the Division of Investigations at TEA if there is 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 a minor
- Soliciting or engaging in sexual contact 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 reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee or an applicant for certification has a reported criminal history. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

## 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. Notice of the following must be sent to the support recipient and the court or, in the case of child support, the Texas Attorney General Child Support Division:

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

## Student Issues

### Equal Educational Opportunities

*Policies FB, FFH*

Hays CISD does not discriminate on the basis of race, color, religion, national origin, sex, 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 against students based on sex, including sexual harassment should be directed to the chief human resources officer, the district Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to the director of academic support, the district ADA/Section 504 coordinator. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

### 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. A 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 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<sup>®</sup>), 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 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
- 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 and 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*

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyber bullying, to the campus principal. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

[https://pol.tasb.org/Policy/Download/621?filename=FFI\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/621?filename=FFI(LOCAL).pdf)

## **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 the designated campus administrator.

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