

Hays CISD

2023–2024 Employee Handbook

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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 Chief Human Resources Officer, Christina Courson at christina.courson@hayscisd.net.

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.

District Information

Description of the District

Located in North Central Hays County, the Hays Consolidated Independent School District covers 221 square miles. The district has 26 campuses serving approximately 23,000 students.

Three comprehensive high schools, six middle schools (6-8 grade), 15 elementary schools, an alternative high school of choice and a disciplinary center comprise the district's campuses, which have tripled in number since 2000. The district also features a state-of-the-art Performing Arts Center.

The district offers dynamic, rigorous instruction with a commitment to serve the unique needs of every child. Its modern, energy-efficient schools are ideal learning environments, staffed with highly qualified, caring teachers and staff. Students are offered many specialized career programs and have access to an elementary magnet school program for science, engineering, technology, and mathematics. Each comprehensive high school has Project Lead the Way designation, and music, art, library, and PE are included in the weekly rotation at every elementary school. In the rapidly evolving world of educational opportunity Hays CISD is committed to partnering with families in designing the best program for each child.

One of the points of pride for Hays CISD is the quality of its extracurricular programs. The district recognizes the value of student participation in extracurricular activities and features award-winning band, choirs, visual and theatre arts, and athletic programs. The expectation is for students to stretch their minds and expand their abilities as they fulfill their graduation goals.

District Map

[Hays CISD Campuses & Departments](#)

Mission Statement, Goals, and Objectives

Policy AE

Mission Statement

The mission of Hays CISD is to nurture students to become extraordinary citizens through unique, personal educational experiences through an innovative community of learners while celebrating our diversity and legacy.

Vision Statement

All Hays CISD learners will be:

- academically prepared for college, career, and life
- effective communicators and collaborators
- globally competent and competitive
- prepared for life and citizenship

Beliefs

We believe:

- Decision making is student-focused
- All students have the capacity to learn and be successful
- A safe and secure environment is essential
- Success is a shared investment that includes learners, educators, parents, and the community
- In treating our educators and staff with dignity and respect
- The allocation of resources will support high quality learning
- An educated populace is essential to democracy
- High expectations lead to high achievement
- Open communication, transparency, and accountability build trust
- Inspired learning is the foundation of lifelong success
- Diverse and varied opportunities further learning
- Student success includes a well-rounded education that goes beyond standardized testing

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. Five trustees are elected from single member districts and two are elected at-large. Trustees serve three-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

Current board members include:

- Raul Vela, Jr. District 1
- Johnny Flores, District 2
- Courtney Runkle, District 3
- Byron Severance, District 4
- Esperanza Orosco, District 5
- Will McManus, At-large
- Vanessa Petrea, At-large

The board meets on the third and fourth Monday in the Kunkle Room at the Historic Buda Elementary Campus. 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 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 one-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

Monday, July 24, 2023	Regular Meeting
Monday, August 21, 2023	Regular Meeting
Monday, August 28, 2023	Regular Meeting
Monday, September 18, 2023	Regular Meeting
Monday, September 25, 2023	Regular Meeting
Tuesday, October 17, 2023	Regular Meeting
Monday, October 23, 2023	Regular Meeting
Monday, November 13, 2023	Regular Meeting
Tuesday, November 28, 2023	Regular Meeting
Monday, December 11, 2023	Regular Meeting
Tuesday, January 16, 2024	Regular Meeting
Monday, January 22, 2024	Regular Meeting
Tuesday, February 20, 2024	Regular Meeting
Monday, February 26, 2024	Regular Meeting
Monday, March 18, 2024	Regular Meeting
Monday, March 25, 2024	Regular Meeting
Monday, April 15, 2024	Regular Meeting
Monday, April 22, 2024	Regular Meeting
Monday, May 13, 2024	Regular Meeting
Monday, May 20, 2024	Regular Meeting
Monday, June 17, 2024	Regular Meeting
Monday, June 24, 2024	Regular Meeting
Monday, July 22, 2024	Regular Meeting

Administration

Superintendent of Schools	Dr. Eric Wright	268-2141, ext. 46051
Deputy Superintendent/Chief Academic Officer	Marivel Sedillo	268-2141, ext. 46057
Chief Communications Officer	Tim Savoy	268-2141, ext. 46090
Chief Financial Officer	Randy Rau	268-2141, ext. 46060
Chief Human Resources Officer	Christina Courson	268-2141, ext. 46007
Chief Operations Officer	Max Cleaver	268-2141, ext. 46062
Chief of Safety and Security	Jeri Skrocki	268-2141, ext. 45115
Chief Technology Officer	Dianne Borreson	268-2141, ext. 46082
Deputy Chief Academic Officer	Dr. Michael Watson	268-2141, ext. 45098
Deputy Chief Academic Officer	David Pierce	268-2141, ext. 45082
Deputy Chief Academic Officer	Jesus Gomez	268-2141, ext. 45101
Deputy Chief Academic Officer	Mary Noble	268-2141, ext. 45023
Deputy Chief Human Resources Officer	Tim Robinson	268-2141, ext. 46027
Executive Officer of Curriculum and Instruction	Derek McDaniel	268-2141, ext. 45050
Executive Officer of Special Education	Michelle Velasquez	268-8250, ext. 46954
Director of Academic Support	Debbie Brown	268-2141, ext. 45030
Director of Accounting	<i>OPEN</i>	268-2141
Director of Child Nutrition (Southwest Foodservice)	Thomas Stone	268-1336, ext. 45002
Director of College & Career Readiness & Counseling Services	Maritza Gonzalez	268-2141, ext. 45020
Director of Communications	Harvest Coats	268-2141, ext. 46049
Director of Construction & Planning	Nathan Wensowitch	268-2141, ext. 46063
Director of CTE	Suzi Mitchell	268-2141, ext. 45047
Director of Custodial & Maintenance	Brandon Porter	268-2141, ext. 46117
Director of Digital Learning	Emily Herrin	268-2141, ext. 45029
Director of Federal Programs & Grants	Stephanie Norris	268-2141, ext. 45156
Director of Grounds	Jaime Franco	268-2141, ext. 46163
Director of Mechanical, Electrical & Plumbing	Albert Flores	268-2141, ext. 46135
Director of PK -12 Multilingual Education	Patricia Melgar-Cook	268-2141, ext. 45013
Director of Purchasing	Nicole Turner	268-2141, ext. 46063
Director of Student Health Services	Megan Benthall	268-2141, ext. 45037
Director of Student Services	Brian Dawson	268-2141, ext. 46083
Director of Human Resources	Ginger Blanchon	268-2141, ext. 46054
Director of Transportation	Filiberto Bonilla	268-2141, ext. 46040
Payroll Coordinator	Rita Gonzales	268-2141, ext. 46066

School Calendar

[2023-2024 Academic Calendar](#)

School Directory

Blanco Vista Elementary School
2951 Blanco Vista Blvd., San Marcos 78666
512/268-8506-Fax 393-2082
Sean Fox, Principal-42301

Buda Elementary School
1060 Old San Antonio Road, Buda 78610
512/268-8439-Fax 268-7369
Megan Zembik, Principal-46731

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

Carpenter Hill Elementary School
4410 RR 967, Buda, TX 78610
512/268-8509-FAX 295-4049
Ginger Bordeau, Principal-42601

Elm Grove Elementary School
801 FM 1626, Buda 78610
512/268-8440-Fax 295-6809
Kathy Faulks, Principal-47101

Fuentes Elementary School
901 Goforth Road, Kyle 78640
512/268-7827-Fax 268-5968
Shea Howard, Principal-47201

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

Hemphill Elementary School
3995 East FM 150, Kyle 78640
512/268-4688-Fax 268-6208
Dr. Mónica Salas-Truhill, Principal – 47301

Kyle Elementary School
500 West Blanco Street, Kyle 78640
512/268-3311-Fax 268-1417
Sean Maxwell, Principal-46925

Negley Elementary School
5940 McNaughton, Kyle 78640
512/268-8501-Fax 268-8582
Melody Crowther, Principal-47001

Ralph Pfluger Elementary School
4951 Marsh Lane, Buda 78610
512/268-8510-FAX 295-6826
Elizabeth Lara, Principal-42701

Science Hall Elementary School
1510 BeBee Road, Kyle 78640
512/268-8502-Fax 268-8784
Iric Ramos, Principal-42101

Sunfield Elementary School
155 Vista Gardens, Buda 78610
512/268-8517-Fax 268-7903
David MacRoberts, Principal-45055

Tobias Elementary School
1005 East FM 150, Kyle 78640
512/268-8437-Fax 268-7885
Alisa DiPalma, Principal-47401

Uhland Elementary School
2331 High Road, Uhland 78640
512/268-8503 Fax
Amanda Muro, Principal-42901

Barton Middle School
4950 Jack C. Hays Trail, Buda 78610
512/268-1472-Fax 268-1610
Aaron Loyd, Principal-46432

Chapa Middle School
3311 Dacy Lane, Kyle 78640
512/268-8500-Fax 295-7824
Lisa Walls, Principal-47801

Dahlstrom Middle School
3600 FM 967, Buda 78610
512/268-8441-Fax 295-5346
Dedrah Ginn Principal-46542

McCormick Middle School
5700 Dacy Lane, Buda 78610
512/268-8508 Fax 295-4696
James Cruz, Principal-42801

Simon Middle School
3839 East FM 150, Kyle 78640
512/268-8507 Fax 268-4146
Sal Vega, Principal-42501

Wallace Middle School
1500 West Center Street, Kyle 78640
512/268-2891-Fax 268-1853
Joanne Carlisle, Principal-46633

IMPACT
4125 FM 967, Buda 78610
512/268-8473-Fax 295-5006
Cynthia Zapata, Principal-46139

Hays High School
4800 Jack C. Hays Trail, Buda 78610
512/268-2911-Fax 268-1394
Tina Salazar, Principal-46225

Johnson High School
4260 Ranch Road 967, Buda 78610
512/268-8512
Brett Miksch, Principal-44301

Lehman High School
1700 Lehman Road, Kyle 78640
512/268-8454-Fax 268-2146
Karen Zuniga, Principal-47601

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

Performing Arts Center-011
979 Kohler's Crossing, Kyle 78640
512/268-8443-Fax 268-6051
Adam Jones, PAC Director-47501

Special Education Department
451 North Meyer Street, Kyle 78640
512/268-8250-Fax 268-8251
Michelle Velasquez, Director-46908

Transportation Department
2385 High Road, Uhland 78640
512/268-8479 or 268-2141- Fax 268-1931
Filiberto Bonilla, Director-46040

Transportation-Beacon Hill
155 Beacon Hill Road, Buda 78610
512/268-8513 – Fax 295-6052
Laura Trotter, Op Specialist-46113

Maintenance & Operations
155 Beacon Hill Road, Buda 78610
512/268-8442-Fax 295-7099
Emergency Number 1-888-363-6032

Child Nutrition
5750 Dacy Lane, Kyle 78640
512/268-1336-Fax 295-3089
Thomas Stone, Director-45002

Employment

Equal Employment Opportunity

Policies DAA, DIA

In its efforts to promote nondiscrimination and as required by law, Hays CISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), 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.

In accordance with Title IX, the district does not discriminate on the basis of sex and is prohibited from discriminating on the basis of sex in its educational programs or activities. The prohibition against discrimination extends to employment. Inquiries about the application of Title IX may be referred to the district's Title IX coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Christina Courson, Chief Human Resources Officer, 21003 IH 35, Kyle, TX 78640, 512/268-2141. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the Title IX coordinator for students to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Dr. Brian Dawson, Director of Student Services, 21003 IH 35, Kyle, TX 78640, 512/268-2141. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Debbie Brown, Director of Academic Support, 21003 IH 35, Kyle, TX 78640, 512/268-2141, est. 45030.

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).

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.

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. Employees receive their contract for signature through a TalentEd Records task. 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 noninstructional 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.

Below is a calendar of beginning and end dates for the 2023-2024 school year, depending on the position



2023-2024 Workday Calendar Dates

Calendar	Start	End
170 DAYS	8/14/23	5/23/24
175 DAYS	8/7/23	5/23/24
180 DAYS	8/8/23	5/23/24
187 DAYS	8/2/23	5/24/24
192 DAYS	7/26/23	5/24/24
197 DAYS	7/25/23	5/31/24
204 DAYS	7/18/23	6/4/24
210 DAYS	7/18/23	6/12/24
215 DAYS	7/17/23	6/18/24
226 DAYS	7/10/23	6/28/24
230 DAYS	8/1/23	7/31/24
248 DAYS	9/1/23	8/30/24
260 DAYS	9/1/23	8/30/24

Updated 6/7/2023

Certification and Licenses

Policies DBA, DF

Professional employees whose positions require SBEC certification or a 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 human resources in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify their supervisor and human resources when there is action against, or revocation of, their license.

A certified employee's contract may be voided without Chapter 21 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 human resources 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 Monica Baker at monica.baker@hayscisd.net if you have any questions regarding reverification of employment authorization. Failure to verify employment authorization may result in termination.

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. Disciplinary action, up to and including termination, may result if an employee refuses to submit to testing or is found to violate district policy.

Employees Required to Have a Commercial Driver’s License. Any employee whose duties require a commercial driver’s license (CDL) is subject to alcohol and drug 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 human resources.

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, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to their supervisor by their start date with the district.

School nurses and employees with regular contact with students must complete a Texas Education Agency approved, online training regarding seizure disorder awareness, recognition, and related first aid.

Reassignments and Transfers

Policy DK

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

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins may apply to a posting through TalentEd by selecting "internal application." Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the human resources office and must be approved by the receiving supervisor.

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

Hays CISD is designated as a Texas Mother-Friendly Worksite. The district supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk.

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.

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee to notify the district if they believe the district is out of compliance in providing breaks for a nursing mother. The employee must give the district 10 days to come into compliance before making any claim of liability against the district. An employee with concerns should contact Tim Robinson, Deputy Human Resources Officer at tim.robinson@hayscisd.net.

Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (PWFA) provides consideration of accommodations to employees who have known limitations related to pregnancy, childbirth, or related medical conditions. An employee seeking a PWFA accommodation should contact Tim Robinson, Deputy Human Resources Officer at tim.robinson@hayscisd.net to begin the interactive process.

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 contact human resources.

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. Evaluations will be completed by the supervisor through TalentEd Perform. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a task through TalentEd Perform to approve and sign their evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

Upon receiving a report, a nursing review committee may review a nurse's nursing services, qualifications, and quality of patient care, as well as the merits of a complaint concerning a nurse, and a determination or recommendation regarding a complaint. A nurse may request, orally or in writing, a determination by the committee regarding conduct requested of the nurse believed to violate the nurse's duty to a patient.

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 superintendent's office.

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 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 semi-monthly. 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 2023 – 2024 school year follows:

Monthly

August 28, 2023	February 28, 2024
September 28, 2023	March 28, 2024
October 27, 2023	April 26, 2024
November 17, 2023	May 28, 2024
December 15, 2023	June 28, 2024
January 19, 2024	July 26, 2024

Semi-Monthly

September 15, 2023	March 8, 2024
September 29, 2023	March 28, 2024
October 13, 2023	April 15, 2024
October 30, 2023	April 30, 2024
November 15, 2023	May 15, 2023
November 30, 2023	May 31, 2024
December 15, 2023	June 14, 2024
December 15, 2023	June 28, 2024
January 12, 2024	July 15, 2024
January 31, 2024	July 31, 2024
February 15, 2024	August 15, 2024
February 29, 2024	August 30, 2024

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 department 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.

Overpayments. Employees are not entitled to any funds the district overpays. An agreement between an employee and the district must be in place in order to deduct any overpayment from one or more paychecks if an overpayment occurs.

Time Reporting

All nonexempt employees are required to use TimeClock Plus, “TCP.” This time keeping method is used to electronically complete accurate weekly time reports showing all time actually worked. These records are required by governmental regulations and are used to calculate regular and overtime pay. At the end of each week, the employee and his or her supervisor must attest to its correctness. If you are a paraprofessional and require a substitute for your position, please follow the SmartFind reporting procedures as outlined below.

The district also uses SmartFind Express, an electronic absence tracking system. All **professional employees** are required to report every absence (full and partial day) by calling (512) 523-6320 or online at www.hayscisd.net/smartfind.

If a substitute is required, SmartFind will attempt to secure one. Should you have questions regarding SmartFind absence tracking, please contact the HR Staffing and Systems Coordinator at Tricia.Griffith@hayscisd.net.

Overtime Compensation

Policies DEAB, DEC

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 up to and including termination.

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 at 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 is 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, approval by the employee’s supervisor must be obtained. 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. For more information on travel please visit [Business and Finance Division/Forms and Publications](#).

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

Employees under the 22-23 insurance plan will continue to be covered through August 31, 2023. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees online at www.mybenefitshub.com/hayscisid. Employees should contact the **Benefit Call Center** at 512.943.6046 for enrollment assistance and benefit information, Monday – Friday from 8 AM – 5 PM CST during Open Enrollment and Monday – Friday from 8 AM – 4 PM CST after Open Enrollment ends. The 22-23 insurance plan expires on August 31, 2023. The district has a new Third Party Administrator for the 22-23 school year.

Our 23-24 insurance plan is administered through First Financial Group from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or within 31 days of when they experience a qualifying event (e.g., marriage, divorce, birth). Effective September 1, 2023, detailed descriptions of insurance coverage, employee cost and eligibility requirements are provided to all employees online at <https://ffbenefits.ffga.com/hayscisid/>. Employees that experience technical difficulty or have trouble maneuvering through the enrollment process, please call the FFGA Enrollment Solutions Help Desk line at (855) 523-8422 from 7 a.m. to 5 p.m. CST or email techsupport@ffga.com. For questions about benefit plans, premiums or to meet with an FFGA representative in person, call (800) 672-9666.

Supplemental Insurance Benefits

Policy CRD

At their own expense, 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 the Director of Benefits, Diana Diaz at diana.diaz@hayscisid.net for more information.

Cafeteria Plan Benefits (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., disability, 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 coverage through TASB Risk Management Fund.

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 employee's supervisor. 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 page*, for information on use of paid leave for such absences. Contact Margaret.Martinez@hayscisd.net for district information.

Employee Assistance Program

Deer 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, free simple wills, 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. Also offered is a Savings Center called Perks at Work that has hundreds of discounts on anything from restaurants to car purchases. 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 go to www.deeroakseap.com. Log in with the user name and password HCISD.

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 Deputy Human Resources Officer, Tim Robinson at tim.robinson@hayscisd.net.

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 their supervisor 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 or 512-542-6400. TRS information is also available on the web (www.trs.texas.gov).

Other Benefit Programs

Policy FDA

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

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 contact Stephanie Ricke at stephanie.ricke@hayscisd.net for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district. Employees should contact Director of Benefits, Diana Diaz for general insurance questions and payment of insurance premiums.

Paid leave must be used for any absence. 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 1995-1996 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. Any unapproved absences or absences beyond accumulated or available paid leave shall result in a deduction from the employee's pay.

If an hourly employee does not report or request leave of absence(s) according to district procedures, the incident is considered a "no call/no show". An employee who is absent for 3 consecutive days without notice is considered to have abandoned their job and may face disciplinary consequences up to and including termination.

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 another 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 is 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 district may require medical certification due to an employee’s questionable pattern of absences or when deemed necessary by the supervisor or superintendent. The district may also request medical certification when an employee requests leave under the Family and Medical Leave Act (FMLA) for the employee’s serious health condition, a serious health condition of the employee’s spouse, parent, or child, or for military caregiver leave.

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 FMLA 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 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.

Short Term Leave

The district provides short-term leave to regular employees who do not meet the eligibility requirement of twelve-months of employment with the District under the Family and Medical Leave Act (FMLA). Short-term leave is intended to provide a benefit for those newly hired employees not yet eligible for FMLA leave. Employees who have been employed with the district for at least 12 months are not eligible for short-term leave. [See DECA(LEGAL)].

An employee must have worked a minimum of 30 days in the employee's current work calendar or in the twelve months preceding the request for short-term leave.

Short-term leave is unpaid leave. The district shall require the employee to use any available paid leave, including any compensatory time, concurrently with short-term leave.

Vacation

Policy DED

Employees in positions normally requiring 12 months of service, and at least 248 duty days, may earn vacation days. Employees who are assigned to work fewer than 248 days in a school year are not eligible for vacation days.

Vacation days may be taken during the duty year and shall be taken at such times that will least interfere with the performance of the employee's duties and the staffing needs of the district. An employee shall be required to obtain advance approval from his/her supervisor before taking vacation days and must provide sufficient notice to allow the supervisor to consider the district's staffing needs before approval of the schedule.

Earned compensatory time shall be used before any available paid state and local leave. [See DEA and DEC] Unless an employee requests a different order, available leave shall be used in the following order, as applicable:

1. Vacation Days, if applicable.
2. Local leave.
3. State sick leave accumulated before the 1995–96 school year. See reasons in State Sick Leave information.
4. State personal leave.

Non-Duty Days

Professional and paraprofessional employees in positions normally requiring 12 months of service, and at least 226 duty days, may earn non-duty days. The number of non-duty days available in a school

year shall be those days remaining in the school year after an employee's holidays and scheduled duty days have been satisfied, in accordance with the instructional calendar.

Employees who are assigned to work fewer than 226 days in a school year are not eligible for non-duty days.

Non-duty days may be taken during the duty year and shall be taken at such times that will least interfere with the performance of the employee's duties and the staffing needs of the District. An employee shall be required to obtain advance approval from his/her supervisor before taking non-duty days and must provide sufficient notice to allow the supervisor to consider the District's staffing needs before approval of the schedule.

Earned compensatory time shall be used before any available paid state and local leave. [See DEA and DEC] Unless an employee requests a different order, available leave shall be used in the following order, as applicable:

1. Non-Duty Days, if applicable.
2. Local leave.
3. State sick leave accumulated before the 1995–96 school year.
4. State personal leave.

Catastrophic Leave Bank

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** other 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. For more information go to the Employee Services/Catastrophic Leave Bank page at: [CLB web page](#).

Sick Leave Pool

An employee who has exhausted all paid leave, including any applicable compensatory time or catastrophic leave bank days, and who suffers from a catastrophic illness or injury or is absent due to the catastrophic illness or injury of a member of the employee's immediate family may request the establishment of a sick leave pool, to which District employees may donate local leave or state personal leave for use by the eligible employee.

The number of days an employee may donate shall not be limited unless the donation would result in the donor having fewer than ten days. No donation may result in an employee having fewer than nine available local days, state days, or a combination thereof. If an employee has ten days available (local days, state days, or a combination thereof) and wishes to donate, the employee is limited to a donation of one day.

The pool shall cease to exist when the employee no longer needs leave for the purpose requested or exhausts all leave days donated to the sick leave pool.

Family and Medical Leave Act (FMLA)—General Provisions

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

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons.

The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees. Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

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

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You are an **eligible employee** if *all* of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management

How do I request FMLA leave?

Generally, **to request FMLA leave you must:**

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or

- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

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.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress

What does my employer need to do?

If you are eligible for FMLA leave, your employer **must**:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, **your employer must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



Local Procedures for Implementing 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. When leave is taken for the employee's own serious health condition, the certification must address the employee's ability to perform essential job functions. 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. Fitness for duty is not required when an employee returns to work following leave to care for a family member with a serious health condition; to care for a child following birth, adoption, or foster care placement; or for qualifying exigency leave.

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 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 Stephanie Ricke at stephanie.ricke@hayscisd.net 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, human resources 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.

Short-Term Leave

The district provides short-term leave to regular employees who do not meet the eligibility requirement of twelve-months of employment with the District under the Family and Medical Leave Act (FMLA). Short-term leave is intended to provide a benefit for those newly hired employees not yet eligible for FMLA leave. Employees who have been employed with the district for at least 12 months are not eligible for short-term leave.

An employee must have worked a minimum of 30 days in the employee's current work calendar or in the twelve months preceding the request for short-term leave.

Short-term leave is unpaid leave. The district shall require the employee to use any available paid leave, including any compensatory time, concurrently with short-term leave.

Qualifying reasons for purposes of short-term leave shall be consistent with those of FMLA leave.

Short-term leave is defined as unpaid leave that does not exceed 60 workdays from the last day worked. Short-term leave shall be used concurrently with extended leave [see Extended Leave below]. Employees who return to work at the end of the approved period of short-term leave shall be returned to the same or substantially same position held prior to the leave.

Employees who do not return to work on exhaustion of short-term leave shall not be guaranteed a return to their former position but shall be placed in the first available position for which they are qualified.

An employee returning from short-term leave shall provide, before resuming work, a fitness-for-duty certification (medical release) from the employee's health-care provider to human resources.

Extended Leave

The district provides extended leave to regular employees who do not meet the eligibility requirements as stated under temporary disability leave.

An employee must have worked a minimum of 30 days in the employee's current work calendar or in the twelve months preceding the request for extended leave.

Extended leave is unpaid leave. The district shall require the employee to use any available paid leave, including any compensatory time, concurrently with extended leave.

For purposes of extended leave, an employee must suffer from a severe condition or combination of conditions affecting the mental or physical health of the employee that require the services of a

licensed practitioner for a prolonged period of time. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

Extended leave is defined as unpaid leave. The maximum length of extended leave shall be 180 calendar days. Extended leave shall run concurrently with short-term leave. Extended leave is available only on a continuous basis and shall not be approved on an intermittent basis.

An employee returning from extended leave for his or her own serious health condition shall provide, before resuming work, a fitness-for-duty certification (medical release) from the employee's health-care provider to human resources.

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 employee's supervisor and human resources.

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 nonresponsible 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 he or she sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with

workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

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

Policies DEC, DG

The district provides paid leave to employees who are summoned to jury duty including service on a grand jury. The district will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States. 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 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 15 days of paid leave per fiscal year when engaged in authorized training or duty orders by proper authority. An additional seven days of leave per fiscal year are available if called to state active duty in response to a disaster. 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 human resources. 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 the Director of Benefits, Diana Diaz at diana.diaz@hayscisd.net for details on eligibility, requirements, and limitations.

Payment for Accumulated Leave Upon Separation

Policies DEC, DEAA

An employee who resigns from the district and provides notice of intent to retire under TRS shall be eligible for payment for accumulated state and local leave under the following conditions:

1. The employee's retirement is voluntary, i.e., the employee is not being discharged, nonrenewed, or asked to resign in lieu of such action.

2. The employee submits his or her resignation and provides advanced written notice of intent to retire by March 30 preceding the effective retirement date. The employee shall complete all work and/or contractual obligations through the last day of instruction.
3. The employee has at least five years of service with the district.
4. The employee has not previously retired under TRS.

An eligible employee who has at least five years of service with the district shall receive payment for each day of accumulated state and local leave, to a maximum of 50 days, at a rate of \$100 per day.

An eligible employee who has at least ten years of service with the district shall receive payment for each day of accumulated state and local leave, to a maximum of 70 days, at a rate of \$100 per day.

An eligible employee who has at least 15 years of service with the district shall receive payment for each day of accumulated state and local leave, to a maximum of 90 days, at a rate of \$100 per day.

If the employee is reemployed with the district, days for which the employee received payment shall not be available to that employee.

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, Superintendent Coin of Excellence, Teacher of the Year and Hays High Five awards.

District Communications

Throughout the school year, the District Chief Communications Officer 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.

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. For ease of reference, the district's policy concerning the process of bringing concerns and complaints is reprinted as follows: [DGBA \(Local\) Policy Online](#).

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 up to and including termination.
- 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, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary action, up to and 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*, 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

Purpose and Scope

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. This chapter shall apply to educators and candidates for certification. (19 TAC 247.1(b))

Enforceable 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 intentionally, knowingly, or recklessly 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 that are used 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, knowingly, or recklessly 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, abuse, or distribution of controlled substances, 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.

2. Ethical Conduct toward Professional Colleagues

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

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

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

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

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

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

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

Standard 2.8 The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

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.

Employee Dress Code

Employees must dress appropriately according the standards set forth by the campus/department administrator and also should be appropriate to their assignment.

Progressive Discipline

Policy DCD

The district utilizes due process through progressive discipline policy guidelines for non-professional, at-will employees.

Progressive discipline is defined as:

1. a tool to encourage modified behavior or performance to acceptable standards.
2. a tool that provides the district with a uniform model to address employee counseling, discipline and documentation.

Progressive discipline is not defined to be:

1. used as a tool to harass, intimidate or punish the employee.
2. used as a method to force the employee to resign.

Please refer to Administrative Procedure D-50 on the employee “X” Drive for more information and guidance.

Virtual Learning Responsibilities and Duties

As determined by the district, employees may be required to provide appropriate distance or virtual instruction or may need to work from home or other location, due to school closures or other reasons, based on the guidelines provided by federal, state or local agencies.

Employees must be available by phone, email, or video conferencing during normal business hours, based on their campus or department needs.

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 up to and including termination.

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.

Any district employee who believes that he or she has experienced prohibited conduct based on sex, including sexual harassment, or believes that another employee has experienced such prohibited conduct, should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor, the campus principal, the Title IX coordinator, or the superintendent. The district's Title IX coordinator's name and contact information is listed in the Equal Employment Opportunity section of this handbook.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is linked here: [DIA \(Local\)](#)

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. Any district employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct based on sex, including sexual harassment, of a student shall immediately notify the district's Title IX coordinator, the ADA/Section 504 coordinator, or superintendent and take any other steps required by district policy.

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 has reasonable cause to believe that child abuse or neglect occurred 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 linked here: [DHB \(Legal\), FFH, FFH Regulation.](#)

Reporting Suspected Child Abuse

Policies DG, FFG, GRA

All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law to make a report to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

Employees are also required to make a report if they have reasonable 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, elderly person, or person with a disability.

Reports to Child Protective Services can be made Online at <https://www.txabusehotline.org/Login/Default.aspx> 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 taking an adverse employment action against a certified or licensed professional 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 make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report 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 at the district's online compliance training site. Click the following link to access Vector Training (SafeSchools Training Modules) at <https://hayscisd-tx.safeschools.com/training/home>. 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 has reasonable cause to believe 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 following 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.

Scope and Sequence

Policy DG

If a teacher determines that students need more or less time in a specific area to demonstrate proficiency in the Texas Essential Knowledge and Skills (TEKS) for that subject and grade level, the district will not penalize the teacher for not following the district's scope and sequence.

The district may take appropriate action if a teacher does not follow the district's scope and sequence based on documented evidence of a deficiency in classroom instruction. This documentation can be obtained through observation or substantiated and documented third-party information.

Technology Resources

Policy CQ

The district's technology resources, including its networks, computer systems, email 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 technology 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 district’s 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 Technology Officer at 512-268-2141 ext. 46022.

Personal Use of Electronic Communications

Policy CQ, DH

Electronic communications include all forms of social media, such as text messaging, instant messaging, electronic mail (email), 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 include 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 communications as they are for any other public conduct. If an employee’s use of electronic communications 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 communications 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, mealtimes, 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 DH(EXHIBIT)]
 - Confidentiality of district records, including educator evaluations and private email 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 DH(EXHIBIT)]

See *Electronic Communications between Employees, Students, and Parents*, below, for regulations on employee communication with students through electronic media.

Electronic Communications between Employees, Students, and Parents

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 email address.

An employee is not subject to the 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 email, 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 email address.
- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of 9:00 p.m. and 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 DH]
- 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 email, 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.

- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district's record retention policy.
- 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.

Public Information on Private Devices

Policy DH, GB

Employees should not maintain district information on privately owned devices. Any district information must be forwarded or transferred to the district to be preserved. The district will take reasonable efforts to obtain public information in compliance with the Public Information Act. Reasonable efforts may include:

- Verbal or written directive
- Remote access to district-owned devices and services

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.

Although an employee may have been previously fingerprinted for TEA, an updated FBI verification system was implemented by the Texas Department of Safety in 2015. To keep our district in compliance, applicants who are not in the newer database will need to be re-fingerprinted. You will need to repeat the fingerprinting process before we can move forward and complete your hire.

Please see the link for district eligibility for hire. [Policy DBAA](#)

Employee Arrests and Convictions

Policy DH, DHB, DHC

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 Texas Family Code.

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.

Certified Employees. The superintendent and directors are required to report the misconduct or criminal history of a certified employee or individual applying for certification or permit to TEA Division of Educator Investigations. Information about misconduct or allegations of misconduct of a certified employee obtained by a means other than the criminal history clearinghouse that results in

termination, resignation, or criminal history (e.g., arrest, indictment, prosecution, conviction, or other disposition by the criminal justice system, including probation and deferred adjudication) will be reported to TEA.

Misconduct or allegations of misconduct include:

- Abused or otherwise committed an unlawful act with a student or minor
- Possessed, transferred, sold, or distributed a controlled substance
- Illegally transferred, appropriated, or expended school property or funds
- Attempted by fraudulent means to obtain or alter any certificate or permit to gain employment or additional compensation
- Committed a criminal offense on school property or at a school-sponsored event, or
- Solicited or engaged in sexual conduct or a romantic relationship with a student or minor

Noncertified Employees. Misconduct or criminal history of a noncertified employee also must be reported to TEA. Information about misconduct or the allegations of misconduct obtained by a means other than the criminal history clearinghouse that results in termination, resignation, or criminal history (e.g., arrest, indictment, prosecution, conviction, or other disposition by the criminal justice system, including probation and deferred adjudication) will be reported to TEA.

Misconduct or allegations of misconduct include:

- Abuse or unlawful act with a student or minor, or
- Involvement in a romantic relationship with or solicited or engaged in sexual contact with a student or minor

Alcohol and Drug-Abuse Prevention

Policy DH

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: [Policy DH](#)

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 or backup of computer programs and data must be made within the provisions of the purchase agreement.

PRINT/TEXT/ILLUSTRATIONS GUIDELINES

Educators & Students MAY Copy	Educators & Students MAY NOT Copy
<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"> <input type="checkbox"/> chapter from a book, <input type="checkbox"/> newspaper or magazine article, <input type="checkbox"/> short story, short essay or short poem, or <input type="checkbox"/> chart, a graph, a diagram, a drawing, a cartoon or a picture from a book, periodical or newspaper <p><u>Multiple Copies</u> IF it meets all tests for BREVITY, SPONTANEITY, CUMULATIVE EFFECT:</p> <ul style="list-style-type: none"> <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 <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. <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 <input type="checkbox"/> <u>Brevity--Graphics</u>: single chart, graph, diagram, drawing, cartoon, or picture per book or magazine. <input type="checkbox"/> Copy limit: one copy per student in course <p>Note: <u>Copyright notice</u> must be included on all copies</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Items intended to be consumable: workbook pages, coloring books, standardized tests, answer sheets... <input type="checkbox"/> As a substitute for purchase of book, magazine or newspaper <input type="checkbox"/> Same works multiple semesters or years <input type="checkbox"/> Same newspaper, articles from week to week <input type="checkbox"/> “Special work” in entirety (ex children’s book) <input type="checkbox"/> To create anthologies of varied works <input type="checkbox"/> More than one entire item (or two excerpts) from a single author, <input type="checkbox"/> More than three articles from a single book or periodical volume during class term <input type="checkbox"/> From the same work more than nine times in a semester <input type="checkbox"/> For commercial purposes (selling copies of booklet) <input type="checkbox"/> Enlarge or modify illustration (a violation of author’s right of adaptation or display)

MUSIC GUIDELINES*

Sheet music, songs, lyrics, operas, musical scores, compact disks, or digital audio files

Educators & Students MAY	Educators & Students MAY NOT
<ul style="list-style-type: none"> <input type="checkbox"/> Copy portions up to 10% of the work, provided they do not constitute a performable unit or aria, <input type="checkbox"/> Make emergency copies not available for an immediate performance, provided purchase replacement copies are on order. <input type="checkbox"/> Make single copy of entire performable unit if confirmed to be out-of-print <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 <input type="checkbox"/> Educators may make & retain a single recording a student’s performance for evaluation or rehearsal purposes <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. <input type="checkbox"/> Students may use a portion of commercial music in background IF they initiate it themselves. 	<ul style="list-style-type: none"> <input type="checkbox"/> Copy sheet music or consumable materials to avoid purchase or payment of royalty fees <input type="checkbox"/> Copy for the purpose of performance except as noted in guidelines* <input type="checkbox"/> Copy or record a work from one format to another, unless original is obsolete <input type="checkbox"/> Use copyright protected music as background without obtaining “synchronization” rights <input type="checkbox"/> Educators may not provide more than one copy per student. <input type="checkbox"/> Educators may NOT make multiple copies of student’s copyright performance <input type="checkbox"/> Copy & omit copyright notice

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:

<https://gradschool.utexas.edu/academics/theses-and-dissertations/doctoral-candidacy/copyright-tutorial/fair-use-guidelines>

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.

The district encourages personal participation in the political process, including voting. Employees who need to be absent from work to vote during the early voting period or on election day must communicate with their immediate supervisor prior to the absence.

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 and Security

Policy CK series

The district has developed and promotes a comprehensive program to ensure the safety and security of its employees, students, and visitors. The safety and security program includes written guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See *Emergencies* for additional information.

Employees must follow established protocols and response to emergencies for each campus and department. Refer to written security procedures specific to your location and work area.

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 the Chief Safety and Security Officer, Jeri Skrocki at jeri.skrocki@hayscisd.net.

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 Chief Safety and Security Officer, Jeri Skrocki, 512 268-2141 ext. 45115, 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) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the district's integrated pest management program.

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located on the entrances to 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, and determines if tests are warranted.
If tests are performed, the samples are sent to a biological company for results and recommendations.
3-4-week turnaround 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, and determines if tests are warranted.
If tests are performed, the samples are sent to a biological company for results and recommendations.
3-4-week turnaround time on tests results.
Test results are received and copies are sent to the campus.
Recommendations are followed.

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.

General Procedures

Emergency School Closing

The district may close schools because of severe weather, epidemics, or other 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. Parents, staff and students will be notified by the parent alert system, and the district will notify local area media.

Emergencies

Policies CKC, CKD

All employees should be familiar with the safety procedures for responding to emergencies, including a medical emergency. Employees should locate evacuation diagrams posted in their work areas and be familiar with shelter in place, lockout, and lockdown procedures. 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 Finance/Purchasing Business department on an official district purchase order (PO) form with the appropriate approval signatures. 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

It is important that employment records be kept up to date. Address updates may be completed by going to the Employee Self-Serve portal at <https://selfservice.hayscisd.net/ess/login.aspx>. Login with your normal computer username and password. Click on Personal Information. You will open another

window and click on Contact up at the top. Click Edit in the field that needs to be updated. Once completed click Save.

Name changes may be completed at www.hayscisd.net/TalentED. Log into TalentEd Records. In the Available Forms folder, 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 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 email address 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
- Emergency contact information
- Information that reveals whether they have family members

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to the Director of Communications, Harvest Coats. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information may be released to the public until a request to withhold the information is submitted or another exception for release of information under law applies. An employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

Facility Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. To request the use of facilities, contact the campus/department secretary. Once supervisor approval is obtained, the contract will be forwarded to the facility coordinator. Contact the facility use coordinator to obtain information on the procedures and rental fees.

Termination of Employment

Resignations

Policy DFE, DHB

Contract Employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the superintendent or other persons designated by the board of trustees, which includes Chief Human Resources Officer, Deputy Human Resources Officer, Director of Talent Acquisition or other persons designated by board action. Supervisors who have not been designated by the board to accept resignations shall instruct the employee to submit the resignation to the superintendent or other person designated by board action. The 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 within seven business days 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 there is evidence to indicate that the employee has engaged in such misconduct.

Noncontract Employees. Noncontract employees may resign their position at any time. A written notice of resignation should be submitted through TalentEd Records 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.

The principal is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal, or of knowing about an employee's resignation or termination following an alleged incident of misconduct described above.

Dismissal or Nonrenewal of Contract Employees

Policies DF Series, DHB

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.

The principal is required to notify the superintendent of an educator's termination within seven business days 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 is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

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

Policies DCD, DP

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, sex, 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*.)

The principal is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal, or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

Discharge of Convicted Employees

Policy DF

The district shall discharge any employee who has been convicted of or placed on deferred adjudication community supervision for an offense requiring the registration as a sex offender or convicted of a felony under Title 5 Penal Code if the victim was a minor.

If the offense is more than 30 years before the date the person's employment began or the person satisfied all terms of the court order entered on conviction the requirement to discharge does not apply.

Exit Interviews and Procedures

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

Reports to Texas Education Agency

Policies DF, DHB, DHC

Certified Employees. 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 or engaged in conduct violating the assessment security procedures established under TEC §39.0301. "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).

Noncertified Employees. The voluntary or involuntary separation of a noncertified employee from the district must be reported to the Division of Investigations at TEA by the superintendent if there is evidence the employee abused or otherwise committed an unlawful act with a student or minor, was

involved in a romantic relationship with a student or minor, or solicited or engaged in sexual contact with a student or minor.

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

In an effort to promote nondiscrimination and as required by law, Hays CISD does not discriminate on the basis of race, color, religion, national origin, age, sex, or disability in providing education services, activities, and programs, including Career and Technical Education (CTE) 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 *Brian Dawson, Director of Student Services, 21003 IH 35, Kyle, Texas 78640, 512-268-2141, ext. 46083, Brian.Dawson@hayscisd.net* the district Title IX coordinator for students. Questions or concerns about discrimination on the basis of a disability should be directed to *Debbie Brown, Director of Academic Support, 300 N. San Marcos St., Buda, Texas 78610, 512-268-2141 ext. 45030, Debbie.Brown@hayscisd.net*, the district ADA/Section 504 coordinator for students. All other questions or concerns relating to discrimination based on any other reasons should be directed to human resources.

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, FFAF

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

Dietary Supplements

Policies DH, FFAC

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

Psychotropic Drugs

Policy FFAC

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

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

- Recommending that a student use a psychotropic drug
- Suggesting a particular diagnosis
- 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 or guardian 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 cyberbullying, to the campus principal. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below: [FFI Policy](#)

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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