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**Assistant Superintendent for Administration, Finance and Human Resources**

Alfredo Andrés Vela

**Assistant Superintendent for Curriculum & Instruction**

Dr. Gisela Sáenz

**Assistant Superintendent for Student Services**

Ricardo M. Villarreal

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# La Joya Independent School District Employee Handbook Receipt Acknowledge Form

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Name \_\_\_\_\_

Campus/Department \_\_\_\_\_

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

Employees have the option of receiving the handbook in electronic format or hard copy.

- A complete copy may be downloaded via the web address at [www.lajoyaisd.com](http://www.lajoyaisd.com)

Please indicate your choice by checking the appropriate box below:

- I choose to receive the employee handbook in electronic format and accept responsibility for accessing it according to the instructions provided.
- I choose to receive a hard copy of the employee handbook.

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please sign and date this receipt and forward it to your Campus Administrator.

# Introduction

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The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Office of Human Resources, 200 West Expressway 83 La Joya, Texas, 78560.

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 on line at [www.lajoyaisd.com](http://www.lajoyaisd.com) or a hard copy is on file at each campus or department office. These copies are available for employee review during normal working hours.

La Joya ISD does not discriminate on the basis of race, religion, color, national origin, sex, age, or disability in providing education or providing access to benefits of education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Acts 1964, as amended; Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation ACT 1973, as amended; and Title II of the Americans with Disabilities ACT. The following District staff members have been designated to coordinate compliance with this requirement:

Alfredo Andrés Vela  
Assistant Superintendent for Administration, Finance and Human Resources  
201 East Expressway 83  
La Joya, TX 78560  
(956) 323-2052

Ricardo M. Villarreal  
Assistant Superintendent for Student Services  
200 West Expressway 83  
La Joya, TX 78560  
(956) 323-2600

# District Information

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**District size: 226 square miles**

**Current Educational Programs Available:**

Bilingual/ESL Education  
Career and Technology Education  
Gifted and Talented Education  
Special Education  
College Readiness

## History of La Joya ISD

The La Joya Independent School District, located in the western portion of Hidalgo County, consists of more than 226 square miles stretching west of Mission to Sullivan City, and includes the smaller communities of Palmview and Peñitas. Boundaries extend from the U. S. border formed by the Rio Grande River to the 13-mile line near McCook.

With an ever-increasing enrollment of more than 29,000 students in the 2015-2016 school year, La Joya ISD is one of the fastest growing school districts in Texas with an estimated increase of 1,400 students per year. Because of the district's tremendous growth, the district has undergone extensive construction. It is not unusual to see building construction or renovations throughout our site.

La Joya has a strong educational history. The first schools were established during the first half of the 19th century when citizens from a few towns and villages set up a place of learning. One of the first schoolhouses was built in western Hidalgo County's Havana in 1849. The rock and adobe structure was far from the little red schoolhouse one might envision; however, it sheltered the children of the area and afforded them a quality education. This humble building gave way to today's La Joya Independent School District, which consists of 23 elementary campuses, 8 middle schools, 3 high schools, 3 Academies, Jimmy Carter Early College High School, College & Career Center, HOPE, Thelma Salinas Science Technology Engineering and Math (STEM) Early College High School, La Joya Early College High School, and Academy of Health Science Professions.

Nellie Leo Schunior, best known as Doña Nellie, was the pioneer of education in this area. She taught at Havana school from 1913 to 1918. Guadalupe (Ninfa) Ornelas, a resident of Old Reynosa, crossed the river by boat every day to teach with Schunior. Schunior's vision for public education included the construction of a high school to serve the communities west of Mission to the Hidalgo County line. To help make this a reality, Schunior donated 15 acres of land. She did not, however, live to see the high school erected. Nellie Schunior Memorial High School was built in 1920, six years after Schunior's death. With an impressive staff of 18, the high school became a part of the newly formed Tabasco Independent School District. Schunior's vision and goals for public education remain today in the La Joya ISD's mission statement, --to ensure that all students have access to quality educational opportunities that enable them to perform at high levels.

## District Map

<http://www.lajoyaisd.com/maps.html>

## District Philosophy, Mission & Vision Statements, Foundation Beliefs, and Goals

*Policy AE*

### District Philosophy

La Joya Independent School District is dedicated to the belief that in order for all students to attain mastery of the instructional goals, there must be a district-wide commitment to constant renewal according to the most effective practices and procedures in the most current research findings. In order to operationalize this philosophy in the most comprehensive and organized manner, the district has adopted The Quality District Model.

The district's Mission Statement, Foundation Beliefs and Desired Exit Behaviors: Student Learner Outcomes, exemplify this philosophy.

### District Vision

*“Educational Excellence: The Right of Every Student”*

### District Mission

La Joya Independent School District is committed to providing Educational Excellence through rigor, relevance, relationships and personal responsibility. We are the integral part of learning where students become successful and productive contributors to our global society. We embrace, with passion, the commitment to continuous improvement, collaboration and accountability that will allow our students to imprint the world.

### Purpose

1. All students will successfully master the essential basic skills.
2. All students will exit as self-directed learners.
3. All students will learn how to learn.
4. All students will leave with their self-esteem intact.
5. All students will graduate college, career, and/or work force ready.

### District Foundation Beliefs

La Joya Independent School District operates from the vision statement that “Educational Excellence is the Right of Every Student.” This position demands that every adult in the organization will act purposefully to create conditions for every student to receive maximum educational services.



Our mission statement is based on a series of foundation beliefs regarding learning and teaching as a reciprocal relationship. These include:

1. We believe all students will learn given sufficient time and appropriate support.
2. We believe schools control all of the variables that influence student success. The task of schools is to alter the learning environment to provide conditions for success.
3. We believe the manner in which students view themselves will have a direct impact on their success. Therefore, one of our most significant roles is to intentionally enhance students' view of themselves as learners and worthwhile persons.
4. We believe all pupils have unique skills and talents. Our task is to identify them and nurture their development.
5. We believe any artificial grouping, which places pupils in situations where learning expectations and opportunities are automatically limited, is not acceptable.
6. We believe all pupils can acquire critical learning skills and understand at higher cognitive levels.
7. We believe students proficient in a language other than English are empowered through their first language.
8. We believe the role of the teacher is that of advocate. All adversarial relationships need to be eliminated.
9. We believe students will be more successful when learning experiences are relevant.
10. We believe all of our professional behaviors need to be intentionally aligned with the most recent research regarding teaching, learning and individual behavior.
11. We believe the learning process is an open experience with no mysteries or surprises. The curriculum, the teaching process, and the assessment will be clear to students at all times.
12. We believe a pupil's rate of learning does not determine the success of the learner.
13. We believe all students should be provided all skills necessary to graduate college, career and workforce ready.
14. We believe state of the art technology should be integrated into the lives of students to enhance their learning and prepare them for the 21<sup>st</sup> Century.
15. We believe our role is to instill in students the values of hard work, honesty, commitment to excellence, courage, self-discipline and perseverance.
16. We believe educators should equip and empower families to help support their children and ensure their success in school and in life.

### **Desired Exit Behaviors: Student Learner Outcomes**

1. Demonstrate personal qualities such as:
  - Positive self-esteem
  - Respect for self and others
  - Sociability
  - Self-management
  - Integrity and honesty
  - Civic responsibilities

2. Demonstrate a high level of personal confidence in English and Spanish proficiency in the four language domains:
  - Listening
  - Speaking
  - Reading
  - Writing
  
3. Demonstrate the essential college and career readiness skills for success in today's global economy which includes:
  - Creativity and innovation
  - Critical thinking and problem solving
  - Communication and collaboration
  
4. Demonstrate life and career skills including:
  - Flexibility and adaptability
  - Initiative and self-direction
  - Productivity and accountability
  - Leadership and responsibility
  
5. Exhibit a range of essential and critical thinking skills through the use of:
  - Information Literacy
  - Media Literacy
  - ICT (Information, Communications and Technology) Literacy
  
6. Develop and maintain:
  - Personal safety
  - Healthy lifestyle
  - Physical well-being

# District Goals

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By achieving these goals La Joya Independent School District will transform into a community of learners, set academic and behavioral expectations, and create a culture where children feel special and safe.

**Goal 1** -- The district will implement a rigorous curriculum and instruction program to close achievement gaps to ensure that all students reach their academic potential.

- 1.1 Demonstrate sustained improvement in all core areas.
- 1.2 Provide technology application skills to promote 21<sup>st</sup> Century learning.
- 1.3 Promote the Fine Arts, Athletics, UIL Academics, and Career & Technical Education to support instructional programs.
- 1.4 Promote and cultivate a college and career readiness culture.
- 1.5 Provide professional development to increase student performance and develop teacher effectiveness.

**Goal 2** --The district will implement student support services that address the total well-being of each student by providing a safe and secure school environment.

- 2.1 Implement the District Code of Conduct and the Student Handbook.
- 2.2 Provide individualized counseling and health related services.
- 2.3 Increase student attendance.
- 2.4 Minimize the drop-out rate and increase the graduation rate.
- 2.5 Recruit, develop and retain a highly-qualified instructional staff.

**Goal 3** --The district will provide an administrative and finance system that supports student achievement.

- 3.1 Allocate the resources to support the instructional goals and objectives of campuses and the school district.
- 3.2 Finance and maintain the purchase, construction, renovation and expansion of facilities.
- 3.3 Safeguard district resources.
- 3.4 Promote leadership opportunities and build capacity for teachers, administrators, parents and community members.
- 3.5 Promote, embrace and support meaningful community involvement in the overall success of students.

# Board of Trustees

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

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

The board of trustees is elected by the citizens of the district to represent the community’s commitment to a strong educational program for the district’s children. Board members are elected biennially and serve four-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

**Current board members include:**

- Johnn V. Alaniz, *President*
- Juan José “JJ” Garza, *Vice-President*
- Oscar “Coach” Salinas, *Secretary*
- Juan José “JJ” Pena, Jr., *Member*
- Esperanza “Espie” Ochoa, *Member*
- Joel García, Sr., *Member*
- Laura Avendaño, *Member*

The board usually meets every two weeks at 200 West Express 83 in La Joya TX, at 6:00 pm. In the event that large attendance is anticipated, the board may meet at alternate sites. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and Central Office Building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

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

**Board Meeting Schedule for 2016 – 2017** (dates are subject to change)

|                 |                  |                 |                 |
|-----------------|------------------|-----------------|-----------------|
| <b>August</b>   | <b>September</b> | <b>October</b>  | <b>November</b> |
| 10 & 24         | 14 & 28          | 12 & 26         | 9               |
| <b>December</b> | <b>January</b>   | <b>February</b> | <b>March</b>    |
| 14              | 18 & 25          | 8 & 22          | 8 & 29          |
| <b>April</b>    | <b>May</b>       | <b>June</b>     |                 |
| 12 & 26         | 10 & 24          | 14              |                 |

## **Administration**

*Dr. Alda T. Benavides, Superintendent of Schools*

*Dr. Gisela Saenz, Assistant Superintendent for Curriculum & Instruction*

*Alfredo Andrés Vela, Assistant Superintendent for Administration, Finance & Human Resources*

*Ricardo M. Villarreal, Assistant Superintendent for Student Services*

## **School Calendar**

[www.lajoyaisd.com](http://www.lajoyaisd.com)

## **Helpful Contacts**

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus or department level, the employee is encouraged to contact the appropriate department as listed in the School Directory which can be accessed online.

## **School Directory**

[www.lajoyaisd.com](http://www.lajoyaisd.com)

# Employment

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## Equal Employment Opportunity

*Policies DAA, DIA*

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

Employees with questions or concerns about discrimination based on sex, including sexual harassment should contact Gloria Rodriguez, Executive Director for Human Resources, and district Title IX Coordinator. Employees with questions or concerns about discrimination on the basis of a disability should contact Rosey M. Romo, the district ADA/Section 504 Coordinator. Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

## Job Vacancy Announcements

*Policy DC*

Announcements of job vacancies by position and location are posted on a regular basis to the district's website [www.lajoyaisd.com](http://www.lajoyaisd.com)

## Employment After Retirement

*Policy DC*

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

## **Contract and Noncontract Employment**

### *Policy DC series*

State law requires the district to employ all full-time professional employees in positions requiring a certificate from the State Board for Educator Certification (SBEC) and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at-will or by a contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the district.

**Probationary Contracts.** Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after a two-year lapse in district employment or employees who move to a position requiring a new class of certification may also be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the district may not exceed one school year.

For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the board determines it is doubtful whether a term or continuing contract should be given.

**Term Contracts.** Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be accessed on line 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 employed by a one-year contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code.

**Paraprofessional and Auxiliary Employees.** All paraprofessional and auxiliary employees, regardless of certification, are employed at will and not by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

## **Certification and Licenses**

### *Policies DBA, DF*

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

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

## **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 computers, lockers, and private vehicles parked on district premises or work sites or used in district business.

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, 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 policies and related educational material should contact the Office of 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, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Office of Human Resources.

## **Reassignments and Transfers**

*Policy DK*

All personnel are employed 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 shall be defined as a transfer to another position, department, or facility that does not necessitate a change in the employment contract of a contract employee. Any change in an employee's contract shall be in accordance with policy DC. Any employee may request reassignment within the District to another position for which he or she is qualified. The principal's criteria for approval of campus assignments and reassignments shall be consistent with District policy regarding equal opportunity employment and with staffing patterns approved in the District and campus plans. In exercising their authority to approve assignments and reassignments, principals shall work cooperatively with the central office staff to ensure the efficient operation of the District as a whole. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request during the timeline established by the Office of Human Resources. 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 Office of Human Resources and must be approved by the receiving supervisor.

## **Workload and Work Schedules**

*Policies DEA, DEAB, DK, DL*

**Professional Employees.** Professional employees and academic administrators are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work

schedule for teachers and all school holidays. Notice of work schedules including start and end dates and scheduled holidays will be distributed each school year.

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

**Paraprofessional and 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 on page 22 for additional information.*

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

*Policies DEA, DEAB, DG*

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

A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with their supervisor to discuss their needs and arrange break times.

### **Notification to Parents Regarding Qualifications**

*Policies DK, DBA*

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. NCLB also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who is not highly qualified.

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call the Office of Human Resources.

## **Outside Employment and Tutoring**

*Policy DBD*

Employees are required to disclose in writing to their immediate supervisor any outside employment that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with 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.

An employee shall disclose in writing to his or her immediate supervisor any private tutoring of District students for pay.

## **Performance Evaluation**

*Policy DN series*

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

## **Employee Involvement**

*Policies BQA, BQB*

At both the campus and district levels, La Joya ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the district. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office.

## **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

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## Salaries, Wages, and Stipends

*Policies DEA, DEAA, DEAB*

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as non-exempt 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*, page 22.)

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 Office of Human Resources for more information about the district's pay schedules or their own pay.

## Paychecks

All professional and paraprofessional employees are paid bi-weekly or monthly. Auxiliary employees are paid every two weeks. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. During the summer breaks, paychecks will be mailed to the employees' current home address or deposited directly to their respective banks.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. Employee's payroll statement can be viewed on the La Joya ISD website under Employee Portal.

The schedule of pay dates for the 2016-2017 school year are as follows:

**Monthly Payroll Dates:**

|          |          |         |          |
|----------|----------|---------|----------|
| 7/25/16  | 8/25/16  | 9/23/16 | 10/25/16 |
| 11/17/16 | 12/20/16 | 1/25/17 | 2/24/17  |
| 3/24/17  | 4/25/17  | 5/25/17 | 6/23/17  |
| 7/25/17  | 8/25/17  |         |          |

**Bi-Weekly Payroll Dates:**

|          |          |          |          |
|----------|----------|----------|----------|
| 7/07/16  | 7/21/16  | 8/04/16  | 8/19/16  |
| 9/02/16  | 9/16/16  | 9/30/16  | 10/14/16 |
| 10/28/16 | 11/11/16 | 11/23/16 | 12/09/16 |
| 12/23/16 | 01/06/17 | 1/20/17  | 2/03/17  |
| 2/17/17  | 3/03/17  | 3/17/17  | 3/31/17  |
| 4/13/17  | 4/28/17  | 5/12/17  | 5/26/17  |
| 6/08/17  | 6/22/17  | 7/06/17  | 7/20/17  |
| 08/03/17 | 8/18/17  |          |          |

No payroll checks will be issued out of scheduled payroll dates except for retirees. The \$1,000 Christmas check will be issued on January 13, 2017.

**Automatic Payroll Deposit**

Employees are required to have their paychecks electronically deposited into a designated account. Additions or changes to direct deposit information must be completed by the employee online on the employee portal. Contact 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) State mandated deductions.
- Social Security employee contributions (if applicable)
- Federal income tax
- Medicare tax (applicable only to employees hired after March 31, 1986)
- Garnishments and Administrative fees (if applicable)
- Professional Dues

- Approved Insurance Programs by the District including Section 125 of the Internal Revenue Service
- Annuities (403B Plan)

Other valid assignments must be reviewed by Administration and will be charged the lesser of \$10 or the actual administrative cost incurred by the district. Fee will be charged per payment processed per assignment. Refer to CFEA Legal for additional information. Employees also may request payroll deductions for payment on the following:

- United Way
- La Joya Area Federal Credit Union
- La Joya ISD scholarships/foundations (La Joya ISD Education Foundation, Superintendent's scholarship, Merit Scholarship, etc.)
- La Joya ISD Property Taxes
- La Joya ISD Christmas Fund
- Howling Trails Golf Course Membership

Salary deductions are automatically made for unauthorized or unpaid leave.

## **Overtime Compensation**

### *Policy DEAB*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (auxiliary 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 the Superintendent or designee.

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

Employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to 4 hours of comp time per week not to exceed 24 hours per year.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- An employee may be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

- Accurate and concise records shall be kept by each respective supervisor on all hours worked overtime.

## **Travel Expense Reimbursement**

*Policy DEE*

Before any travel expenses are incurred by an employee, the employee's supervisor and Superintendent must give approval. (See travel guidelines on La Joya ISD website for additional information.) 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 original receipts in order to be reimbursed for expenses other than mileage.

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

*Policy CRD*

Group health insurance coverage is available to employees who are eligible for TRS. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Detailed descriptions of insurance coverage, prices, and eligibility requirements are provided to all employees by the Employee Benefits Office.

The health insurance plan year is from September 1, 2016 through August 31, 2017. New employees must complete enrollment forms within the first 30 days of employment. Current employees can make changes in their insurance coverage during open enrollment each year. Employees should contact the Office of Employee Benefits (956) 323-2680 for more information.

## **Supplemental Insurance Benefits**

*Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for permanent life, dental, vision, cancer, disability, heart/stroke, critical illness, additional life, and medigap insurance. Premiums for these programs can be paid by payroll deduction. Employees should contact Office of Employee Benefits 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., medical, vision, cancer, dental and heart/stroke). 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 from 1-2-1 Claims Inc., effective September 1, 2011.

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 employee's immediate 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*, for information on use of paid leave for such absences.

## **Unemployment Compensation Insurance**

### *Policy CRF*

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

## **Teacher Retirement**

### *Policy DEG*

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

Employees who plan to retire under TRS should notify the Office of Human Resources 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](http://www.trs.texas.gov)). See webpage for information on restrictions of employment of retirees in Texas public schools.



## **Other Benefit Programs**

### *Policy FDA*

Children of nonresident employees may attend district schools tuition-free.

## **Employee Assistance Program**

Magellan Healthcare provides confidential assistance for marital, financial, legal, alcohol, family, and other problems to employees and their immediate family members. Magellan Healthcare is an informational, short-term counseling and referral center, and a source for finding solutions to personal or job-related problems. Employees covered by the district health insurance plans must contact Magellan Healthcare before seeking treatment for any mental, nervous, alcohol abuse, or drug abuse problems. Failure to contact Magellan Healthcare may result in a reduction of covered benefits under the district health insurance plan. Employees and their immediate families may call Magellan Healthcare 24 hours a day, seven days a week at 800-327-1393 (Se Habla Español).

# Leaves and Absences

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*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 three days should call the Office of Employee Benefits for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

**Use of Leave.** Leave is available for the employee's use at the beginning of the school year. However, state personal and local leave is earned at a rate of one-half workday for each 18 workdays of employment, up to the statutory maximum of five workdays annually. If an employee leaves the district before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck.

Paid leave shall be used in half-day increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Comp Time
- Local leave.
- State sick leave accumulated before the 1995-96 school year.
- State personal leave.

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

**Leave Without Pay.** The District shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.

**Medical Certification.** Any employee who is absent more than three consecutive workdays because of a personal illness or illness in the immediate family 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. Failure to provide medical certification within 5 days will result with an unauthorized absence.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's

genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

**Continuation of Health Insurance.** Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave. 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 earned at a rate of one-half workday for each 18 workdays of employment. A day of earned 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. There are two types of personal leave: nondiscretionary and discretionary.

**Nondiscretionary.** Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary leave will be granted to employees 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 written request to his or her principal or supervisor in advance of the anticipated absence in accordance with administrative regulations. 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 and local leave shall be prorated based on the actual time employed. If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for:

- State personal leave the employee used beyond his or her pro rata entitlement for the school year; and

- Local leave the employee used but had not earned as of the date of separation.

## **State Sick Leave**

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

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

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

## **Local Leave**

*Policy DEC*

All employees shall earn five workdays of paid local leave per school year at the rate of one-half for each 18 workdays of employment. If the employee leaves the district before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck.

Local leave shall accumulate without limit.

Local leave shall be used according to the terms and conditions of state personal leave.

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

*Policy DEC*

The District sick leave pool shall be established from voluntary donations of local and state leave by individual District employees to assist a fellow employee suffering from personal illness or disability. A District employee can also ask for assistance from the sick leave pool if an immediate family member is suffering from personal illness or disability.

An employee may receive a maximum of 90 leave days from a pool in a school year. An employee may request that a sick leave pool be established only after he or she has exhausted all other available paid leave. An employee or a member of the employee's family shall address any request for the establishment of a sick leave pool in writing to the Superintendent.

## Family and Medical Leave (FML)—General Provisions

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

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

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

**Military Family Leave Entitlements.** An eligible employee whose spouse, son, daughter, or parent is on cover active duty or called to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

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

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

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

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

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

\*Special hours of service eligibility requirements apply to airline flight crew employees.

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

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

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

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

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

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

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

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

**Unlawful Acts by Employers.** The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

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

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

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

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

## Local Family and Medical Leave Provisions

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

**Use of Paid Leave.** FML runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The district will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently.

**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. Intermittent leave may be taken under the following circumstances:

- An employee is needed to care for a seriously ill spouse, child, or parent
- An employee requires medical treatment for a serious illness

- An employee is seriously ill and unable to work

**District Contact.** Employees that require FML or have questions should contact Employee Benefits Department 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. Temporary disability leave runs concurrent with FML.

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 disability leave is not approved, the employee must return to work or be subject to termination procedures.

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

When an employee is ready to return to work, the Risk Management Department should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

## **Workers' Compensation Benefits**

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

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use accumulated sick leave or any other paid leave benefits. An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until



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

## **Assault Leave**

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An 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 sick leave for death on the immediate family shall not exceed five workdays per occurrence, subject to the approval of the district.

## **Jury Duty**

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and shall be allowed to retain any compensation they receive.

## **Other Court Appearances**

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Employees may be required to submit documentation of their need for leave for court appearances.

## **Military Leave**

**Paid Leave for Military Service.** Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave for authorized training or duty orders. Paid military leave is limited to 15 days each fiscal year. In

addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after Military Leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the time specified by law to the Office of Human Resources. In most cases, the length of 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 Employee Benefits Department for details on eligibility, requirements, and limitations.

**Work Related Leave.** Employees must have pre-approval by supervisor for work related leave. Employees are eligible for three (3) work related leave during the school year unless prior approval by Assistant Superintendent. Employee must also show proof of attending workshop, training or staff development with a certificate for their personal file.

## **KRONOS ELECTRONIC TIMEKEEPING**

### **Official Time**

The Kronos timekeeping system is the official basis for recording hours worked for the employee.

Handwritten time sheets are replaced by the Kronos generated time sheets. Absences will also be recorded. The data recorded in the Kronos system shall be considered as the “official” record of the workday. Any disputes over actual hours worked or attendance will be resolved by referring to the official records.

It is recognized that in certain situations, it will be necessary to correct or enter missing data manually (e.g. clock malfunction). This should be kept to a minimal.

### **Daily in-Punch/Out-Punch – Non-Exempt**

All non-exempt employees are required to use the Kronos Time Clock system. On a regular workday, every non-exempt employee’s timesheet should have four punches. An In-Punch when arriving to work, an Out-Punch for lunch, an In-Punch after lunch, and an Out-Punch leaving work. There will be exceptions, for example when an employee only works half a day only two punches will be recorded. With every In-Punch there should be an Out-Punch. Other requirements include:

- Employees should not clock in earlier than 7 minutes before their scheduled starting time unless the employee has the principals/department heads approval.
- Employees clocking in after their scheduled starting time will be recorded tardy unless the employee has principals/department heads approval.
- Employees shall not clock out before their scheduled ending time, unless authorized by their principal/department head. All full-time non-exempt employees must work 40 hours per week.
- Employees clocking out 7 or more minutes before their scheduled end time shall be recorded as leaving early.
- All non-exempt employees leaving campus/department site for any personal reason during the day must clock out when leaving and clock in when returning.
- Any missed punches will be brought to the employee's attention by the timekeeper and reported to the Principal or Department Head.
- Employees that consistently have missed punches or tardiness can be reprimanded and noted in the employee's evaluation.
- Absences on the time sheet should match the SEMS system leave reports for those employees that require a substitute.
- The time clock does round off punches.

### **Daily in-Punch/Out-Punch – Exempt**

All exempt employees are required to use the Kronos Time Clock system. On a regular workday, every exempt employee's timesheet should have two punches. An In-Punch when arriving to work, and an Out-Punch when they leave for the workday. With every In-Punch there should be an Out-Punch. Other requirements include:

- Employees clocking in after their scheduled starting time will be recorded tardy unless the employee has principals/department heads approval.
- Employees shall not clock out before their scheduled ending time, unless authorized to do so by their principal/department head.
- All exempt employees leaving campus/department site for any personal reason during the day must clock out
- Any missed punches will be brought to the employee's attention by the timekeeper and reported to the Principal or Department Head.
- Employees that consistently have missed punches or tardiness can be reprimanded and noted in the employee's evaluation.
- Absences on the time sheet should match the SEMS system leave reports for those employees that require a substitute.
- The time clock does round off punches.
- Exempt employees are not required to punch in/out for lunch.
- An exempt public employee may be docked a partial day regardless of their exempt status.

Schedules are set up for each employee by the timekeeper. Any manual changes made on a time sheet are recorded. All employees will have a template of their finger print enrolled on the time clock. At the end of each pay period, employees must review and approve their timecards. Any discrepancies should be reviewed and corrected, if necessary. Once approved by the employee, the supervisor must approve the departments' timesheets for the pay period.

# Employee Relations and Communications

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## 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 Teacher and Employee of the Year banquet, Annual Awards banquet and Award Service pins.

## District Communications

Throughout the school year, the Public Information Office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements. They include the following:

The *Noticiero* is a district newsletter published every semester for the parents, teachers, students, and community members. It includes the latest campus and district events that exemplify La Joya ISD's mission, goals and desired student exit behaviors. It is distributed through the campuses to each student and inserted in the local newspaper,

### **TV Station: Time Warner Cable-Channel 17 JKHS-TV**

Programming schedule is distributed by the Performing Arts Center; for more information call (956) 323-2896.

## **Working with the Media**

*Policy GBAA*

The Public Information Office is the district contact for the news media. Any information requested by the news media should be directed to the Superintendent or Public Information Office Director. This includes statements concerning current issues and request for school information, including enrollment reports and school funding figures. Employees who would like a news item to be given to the media should forward the information to the Public Information Office.

# Complaints and Grievances

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## *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)*

[http://pol.tasb.org/Policy/Download/643?filename=DGBA\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/643?filename=DGBA(LOCAL).pdf)

# Employee Conduct and Welfare

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## Standards of Conduct

### *Policy DH*

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

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with department and district policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent knew of the incident. See *Reports to the Texas Education Agency* on page 65 for additional information.

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

### **Texas Educators' Code of Ethics**

#### **Statement of Purpose**

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The

Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. (19 TAC 247.1(b))

## **Professional Standards**

### **1. Professional Ethical Conduct, Practices, and Performance**

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

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

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

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

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

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

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

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

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

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

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

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

**Standard 1.13** The educator shall not 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 provides information for a disciplinary investigation or proceeding under this chapter.

### **3. Ethical Conduct toward Students**

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

**Standard 3.2** The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

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

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

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

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

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

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

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

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly or the educator attempted to conceal the communication;

- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

## **Accidents Involving District-Owned Vehicles**

The purpose of this document is to establish procedures and guidelines when a District-owned vehicle is involved in an accident.

### **Purpose Definitions**

The following definitions will apply:

**Motor Vehicle** – Any motor driven or propelled vehicle required to be registered under the laws of this state; a trailer or semi trailer, other than manufactured housing, that has a gross vehicle weight that exceeds 4,000 pounds; a house trailer, a four wheel all terrain vehicle designed by the manufacturer for off-highway use that is not required to be registered under the laws of this state; or a motorcycle, a motor-driven cycle, or moped designed for and used exclusively on a golf course. (Texas Transportation Code 501.002)

**Preponderance of the Evidence** – Evidence that is of greater weight or more convincing than the evidence that is offered in opposition to it, that is, evidence that as a whole shows that the fact sought to be proved is more probable than not. (Black’s Law dictionary 1182, 6<sup>th</sup> edition 1990)

**Accident Review Committee** – Made up of the Assistant Superintendent for Administration and Finance, Chief of Police, Risk Management Director, Executive Director for Support Services, and Transportation Director.

### **Procedures**

All accidents involving District-owned vehicles occurring within the District’s boundaries will be investigated by the District police department. All accidents involving District-owned vehicles outside the District’s boundaries will be reported to proper law enforcement for investigation.

Drug testing for the driver of a District-owned vehicle is mandated if there is a preponderance of the evidence that the District-owned vehicle contributed to the accident. Drug testing for the driver of a District-owned vehicle will not be mandated if there is a preponderance of the evidence that the District-owned vehicle did not contribute to the accident. (Preponderance of the evidence will be assessed by the employee’s immediate supervisor after speaking to the law enforcement officer investigating the accident). Drug testing is mandated if it is unclear if the driver of a District-owned vehicle contributed to the accident. Any time there is a death as a

result of the accident, the driver of the District-owned vehicle is mandated to take a drug test. The drug testing will be done immediately unless not allowed due to time constraints of location.

The director/supervisor of the employee involved in the accident will conduct the administrative investigation. If the investigation reveals that there is a preponderance of the evidence that the employee contributed to the accident, one of the following disciplinary actions will be recommended to the Superintendent for approval.

Disciplinary actions are based on dollar-damages incurred by the vehicles involved in the accident. Medical bills will not be assessed in the process. Suspension without pay will be outlined as follows:

| <b><u>ACCIDENT RESULT</u></b>         | <b><u>DISCIPLINARY ACTION</u></b> |
|---------------------------------------|-----------------------------------|
| \$1 - \$2,500                         | One Day                           |
| \$2,501 - 5,000                       | Two Days                          |
| \$5,001 - 7,500                       | Three Days                        |
| \$7,501 - \$10,000                    | Four Days                         |
| \$10,001 - Over                       | Termination                       |
| Death                                 | Termination                       |
| Two accidents in the same school year | Termination                       |

At the discretion of the Superintendent and the Board in lieu of termination, an employee may be suspended for an unlimited number of days.

At the Superintendent's discretion, an employee may be reassigned or suspended with pay pending the results of an investigation.

All necessary steps need to be taken so that the disciplinary action is completed within 30 days after the final investigation report is submitted. Exceptions must be approved by the Superintendent.

In addition to the disciplinary action, an employee who serves a suspension must complete within 30 calendar days a defensive driving course approved by the Texas Safety Association and/or The National Safety Council. Exceptions must be approved by the Superintendent. An employee who fails to complete this training will be subject to termination.

An employee may appeal the disciplinary action in accordance with policy DGBA.

The accident review committee will only review accidents that are not clear in determining who was responsible for the accident. The accident review committee will submit a report of its finding to the supervisor for further processing.

## Department Guidelines and Procedures for Employees Who Operate a School Vehicle

The following procedures and guidelines shall apply to District employees who are required to have commercial driver licenses and are subject to federal regulations. [See DHE]

1. All employees will be subject to the District policy on drug and alcohol testing.
2. Under the District's policy, the department director will explain the District's policies and procedures prior to the start of alcohol and controlled substance testing.
3. The department director will inform the employee of the effects of alcohol and controlled substance use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substance problem (the driver's or a coworker's). Available methods of intervening when an alcohol or a controlled substance problem is suspected include confrontation or referral to the District's employee assistance program.
4. Any person who drives a District-owned vehicle will be required to test for the following: employment, post accident, random, reasonable suspicion, return-to-duty, and specific follow-up testing. Any employee who refuses to take a drug and alcohol test will be recommended for immediate termination.
5. District employees who test positive for alcohol will be removed immediately from driving a school vehicle and be subject to the following consequences:
6. All employees who have positive test results for controlled/illicit drugs will be recommended for immediate termination of employment.

| Employee Operating School Buses  | Employee Operating Other District-owned Vehicles                                 |
|--|--|
| <u>Alcohol levels:</u><br>.001 - .0199 Ten days suspension without pay     | <u>Alcohol levels:</u><br>.001 - .0199 24 hours (one day) suspension without pay |
| .02 – and above Recommendation for For immediate termination of employment | .02 - .0399 48 hours (two days) suspension without pay                           |
|  | .04 - .0799 72 hours (three days) suspension without pay                         |
|  | .08 and above  |

7. Return to Work Policy: Employee must undergo a drug test with negative test results.
  - Employee must participate in a self-referral to the employee assistance program.

- Employee must agree to random drug testing with greater frequency for a period of one year.
- Employee must test negative on subsequent follow-up drug testing.
- Failure to follow this policy will result in recommendation for immediate termination of employment.
- Employee may appeal the disciplinary actions through established District grievance procedure. [See DGBA]

## **Discrimination, Harassment, and Retaliation**

*Policies DH, DIA, FFH, FO*

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

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

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

*DIA (Local)*

<http://pol.tasb.org/Policy/Code/643?filter=DIA>

### **Discrimination:**

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law that adversely affects the employee's employment.

### **Harassment:**

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

- a. Has the purpose or effect of unreasonably interfering with the employee's work performance;
- b. Creates an intimidating, threatening, hostile, or offensive work environment; or
- c. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

### **Retaliation:**

The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.

### **Harassment of Students**

*Policies DF, DH, FFG, FFH*

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, page 46 and *Bullying*, page 69 for additional information.

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

***DHB (Legal)*** [http://pol.tasb.org/Policy/Download/643?filename=DHB\(LEGAL\).pdf](http://pol.tasb.org/Policy/Download/643?filename=DHB(LEGAL).pdf)

***FFH (Local)*** <http://pol.tasb.org/Policy/Code/643?filter=FFH>

### **Reporting Suspected Child Abuse**

*Policies DG, DH, DHB, FFG, GRA, BQ*

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

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

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

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

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

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

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

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

## **Sexual Abuse and Maltreatment of Children**

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

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

## **Reporting Crime**

*Policy DG*

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

## **Technology Resources**

*Policy CQ*

The district's technology resources, including its networks, computer systems, e-mail accounts, devices connected to its networks, and all district-owned devices used on or off school property, are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

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

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

Employees are required to abide by the provisions of the 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 Computer Services (956) 323-2090, Evaluation & Accountability (956) 323-2025 or Technology Department (956) 323-2503.



## Personal Use of Electronic Media

*Policy CQ, DH*

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

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

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

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

- Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
- Copyright law [See Policy CY]
- Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

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

## **Use of Electronic Media with Students**

### *Policy DH*

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

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an 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 students are excepted from district regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

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

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). *Electronic media* also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district

regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.

- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

- The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol.
  - The employee shall include at least one of the student’s parents or guardian as a recipient on each text message to the student so that the student and parent receive the same message;
  - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
  - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s district e-mail address.
- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee 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 [See Policy CY]

- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DHB]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

Refer to the La Joya ISD Student Code of Conduct & Student Parent Handbook for more information on employee/student communication.

## **Criminal History Background Checks**

### *Policy DBAA*

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

## **Employee Arrests and Convictions**

### *Policy DH*

An employee must notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

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

Moral turpitude includes the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation

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

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

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

*Policies DH, DI*

La Joya ISD 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:

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

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

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

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

**DH (Local)** <http://pol.tasb.org/Policy/Code/643?filter=DH>

**DI (Exhibit)** <http://pol.tasb.org/Policy/Code/643?filter=DI>

**DI (Local)** [http://pol.tasb.org/Policy/Download/643?filename=DI\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/643?filename=DI(LOCAL).pdf)

## **Tobacco Products and E-Cigarette Use**

*Policies DH, FNCD, GKA*

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

## **Fraud and Financial Impropriety**

*Policy CAA*

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

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district, except as otherwise permitted by law or district policy
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment
- Failing to provide financial records required by federal, state, or local entities
- Failure to disclose conflicts of interest as required by law or district policy
- Any other dishonest act regarding the finances of the district
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

## **Conflict of Interest**

*Policy CB, DBD*

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

- A personal financial interest
- A business interest

- Any other obligation or relationship
- Non-school employment

Employees should contact their supervisor for additional information.

## **Gifts and Favors**

### *Policy DBD*

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, electronic textbooks, instructional materials or technological equipment may result in prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials such as maps or worksheets that convey information to students or contribute to the learning process.

## **Copyrighted Materials**

### *Policy CY*

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

## **Associations and Political Activities**

### *Policy DGA*

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

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

## **Charitable Contributions**

### *Policy DG*

The Board or any employee may not directly or indirectly require or coerce an employee to make a contribution to a charitable organization or in response to a fund-raiser. 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 fund raiser or attending a meeting called for the purpose of soliciting charitable contributions.

## **Safety**

### *Policy CK series*

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

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

Employees with questions or concerns relating to safety programs and issues can contact La Joya ISD Risk Management Department.

## **Possession of Firearms and Weapons**

### *Policies 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. 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 La Joya ISD Police Department at (956) 323-2040 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 Risk Management Department and is available for inspection during normal business hours.

## **Pest Control Treatment**

*Policies CLB, DI*

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

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in office 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.

## **Other Topics**

### **Dress and Grooming**

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

District employees shall model pride and professionalism for District students.

### **Inappropriate Attire**

The following list of apparel shall be considered inappropriate and shall not be worn by any professional, instructional, or office employee at the work site, professional meetings, or workshops sponsored by the District, unless an exception is permitted.

- Blue jeans and prewashed denim of any color, except on the identified "spirit" day of the week and on teacher workdays.
- Warm-ups.

- Hats, when worn in classroom and offices. Medical and good faith religious exceptions may be granted.
- Muumuus, patio dresses, house coats, tent dresses and the like.
- Tight-fitting garments or extremely loose-fitting garments.
- Dresses, skirts, or garments that are above the knee
- Leggings
- Dresses or skirts with slits that are more than three inches in length without a flap, or five inches in length with a flap when the attire is knee-length.
- Shorts, except for physical education teaching personnel and performing arts teachers while teaching physical education classes; however, these shorts shall not be tight-fitting. A coach shall adhere to the dress policy when attending meetings or teaching regular classes.
- Tanks tops, spaghetti straps, low-cut, “see-through” or revealing tops or shirts; attire that reveals the mid-section of the body.
- Body-piercing jewelry.

**Additional Guidelines**

In addition, the following guidelines shall apply:

- Women may consider hosiery to be optional; however, men shall wear socks.
- Men shall wear dress shirts or polo-style shirts.
- T-shirts shall not be worn except on the identified “spirit” day of the week and teacher workdays. Designed T-shirts or outfits may be worn.
- Mustaches and beards shall be well groomed and neatly trimmed.
- Tennis shoes and sandals, other than flip-flops, shall be permitted.
- Men may wear a single stud earring in the ear.
- Hair shall be clean and neatly combed. Styles shall not be

extreme to the point of creating a distraction. For example, mohawks, extreme-colored highlights, or bear claws shall not be permitted.

- Proper undergarments shall be worn.
- All personnel shall adhere to the dress code when attending any professional meeting, including in-service days.
- Shorts shall not be permitted except for teachers during physical education classes or performing arts classes. The shorts shall not be tight fitting or too short. Shorts shall not be permitted when attending meetings or teaching regular classes.
- Women may wear Capri-style pants that fall below the knee.

In addition to policy DH Local, tattoos, except make-up tattoos such as eye liner, eye shadow, and lip liner, are not allowed to be visible. Tattoos should be covered (makeup, band-aid, etc.)

### **Enforcement**

The following specific procedures and consequences shall be enforced for those who do not follow the dress code:

- |                 |  |
|-----------------|--|
| First offense:  | The employee shall receive a verbal warning.   |
| Second offense: | The employee shall receive a written reprimand.  |
| Third offense:  | The employee shall receive a written reprimand and action shall have a direct effect on his or her performance appraisal.  |
| Fourth offense: | An employee who violates the dress code for the fourth time shall be considered insubordinate for failure to follow directives and shall be placed on probation. |
| Fifth offense:  | An employee who continues to ignore the dress code after the fourth offense shall be subject to termination.   |

Employees who have serious problems or difficulties adhering to this code are encouraged to speak to their immediate supervisor to resolve any concerns.

**Administrative  
Discretion  
Appeal**

Administrators shall have the discretion to send an employee home when warranted by a dress code violation.

Employees shall have recourse through the complaints process or a due process hearing through policy DGBA.

# General Procedures

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## Bad Weather Closing

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

### Radio Stations

|                |          |
|----------------|----------|
| K-TEX-FM100    | 973-9202 |
| KBFM-104       | 973-9202 |
| KFRQ-FM-Q 94.5 | 661-6000 |
| KKPS-FM-99.5   | 661-6000 |
| KVLY-FM-107.9  | 661-6000 |
| KBTQ-FM 96.1   | 631-5499 |
| KGBT-AM-1530   | 668-1530 |

### Television Stations

|                      |          |
|----------------------|----------|
| KGBT-TV Channel 4    | 366-4423 |
| KRGV-TV Channel 5    | 631-5555 |
| KVEO-NBC Channel 23  | 544-2323 |
| UNIVISION-Channel 48 | 687-4848 |
| TELEMUNDO-Channel 40 | 686-0040 |

## Emergencies

*Policies CKC, CKD*

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

## **Purchasing Procedures**

### *Policy CH*

All requests for purchases must be submitted to the designated 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 Purchasing Department for additional information on purchasing procedures.

## **Name and Address Changes**

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

- Employee Benefits
- Office of Human Resources
- Payroll Department

## **Personnel Records**

### *Policy DBA, GBA*

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

- Address
- Phone number, including personal cell phone number
- Information that reveals whether they have family members
- Personal e-mail address

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

## **Building Use**

*Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. Campus Principal/Department Supervisors are responsible for scheduling the use of facilities after school hours. Contact campus principals/departement supervisors to request to use school facilities and to obtain information on the fees charged.

# Termination of Employment

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## Resignations

*Policy DFE*

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

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

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

## Dismissal or Nonrenewal of Contract Employees

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

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

## Dismissal of Noncontract Employees

*Policy DCD*

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain



protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*)

## **Exit Interviews and Procedures**

*Policies DC and CY*

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

## **Reports to Texas Education Agency**

*Policy DF, DHB*

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

- Any form of sexual or physical abuse of a minor or any other unlawful conduct with a student or 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 superintendent is also required to notify TEA when a certified employee resigns and there is evidence the educator engaged in the conduct listed above.

The reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee has a reported criminal history. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

## **Reports Concerning Court-Ordered Withholding**

The district is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance to the court and the individual receiving the support (Texas Family Code §§8.210, 158.211). Notice of the following must be sent to the court and support recipient:

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

# Student Issues

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## Equal Educational Opportunities

*Policies FB, FFH*

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

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to Ricardo M. Villarreal, the district Title IX Coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to Rosey Romo, the district ADA/Section 504 coordinator. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

## Student Records

*Policy FL*

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. A district is not prohibited from granting the student access to the student's records before this time.
- School officials with legitimate educational interests

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

## Parent and Student Complaints

*Policy FNG*

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the board has adopted orderly processes for handling

complaints on different issues. Any campus office or the superintendent's office can provide parents and students with information on filing a complaint.

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

## **Administering Medication to Students**

*Policy FFAC*

Only designated employees may administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. Exceptions apply to the self-administration of asthma medication, medication for anaphylaxis (e.g., EpiPen<sup>®</sup>), and medication for diabetes management, if the medication is self-administered in accordance with district policy and procedures. A student who must take any other medication during the school day must bring a written request from his or her parent and the medicine in its original, properly labeled container. Contact the 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 that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

## **Bullying**

*Policy FFI*

All employees are required to report student complaints of bullying to campus principal. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

*FFI (local)*

<http://pol.tasb.org/Policy/Code/643?filter=FFI>

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that:

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

This conduct is considered bullying if it:

- a. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and

- b. Interferes with a student’s education or substantially disrupts the operation of a school.

Reporting Procedures:

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

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

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

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

## **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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