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# Introduction



The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all District policies and procedures are included and those referenced or included have been summarized. However, as an employee of the San Antonio Independent School District, you are responsible for having reviewed and understood all SAISD policies in full whether included in this handbook or not. Suggestions for additions and improvements to this handbook are welcome and may be sent to Toni Thompson, Associate Superintendent, Human Resources Department.

This handbook is neither a contract nor a substitute for the official District policy manual. Nor is it intended to alter the at-will status of non-contract employees in any way. Rather, it is a guide to and a brief explanation of District policies. District 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 manual available through the District web site at [www.saisd.net](http://www.saisd.net), confer with your supervisor, or call the appropriate District office.

**San Antonio Independent School District  
is an equal opportunity employer  
valuing cultural diversity  
among its students, staff, and community.**

# DISTRICT INFORMATION



## **District Philosophy/Mission Statement/Core Beliefs/ Values**

*AE (LOCAL)*

### **Mission Statement**

The mission of the San Antonio Independent School District is to graduate all students prepared to succeed in higher education.

### **Core Beliefs**

Core beliefs are the formal bedrock statements of the District's moral values and ethical code. The core beliefs of the District are:

- Every student can learn and achieve at high levels
- The District is responsible for the education and safety of every student.
- The District is responsible for the efficient and effective operation of the school system.
- Everyone should be treated with respect.
- People support what they help create.

### **Values**

The values of the District represent the core priorities in the organization's culture, including what drives the employees' priorities and how they perform in the organization. The core values of the District are:

- Student-Centered Focus
- High Expectations
- Commitment
- Passion
- Integrity
- Respect
- Teamwork

### **Commitments**

Commitment statements are those actions of the Board that will ensure the fulfillment of the District's mission. The Board is committed to:

- Making all decisions based on attaining student achievement at or above grade level.
- Ensuring that all decisions, actions, and resource allocations are made in the best interest of the students.
- Ensuring a safe learning and working environment for all students and employees.
- Ensuring fiscal responsibility to the taxpayers of the District.
- Leading by example.
- Maintaining the collaborative process for decision making.

## **District Improvement Plan (DIP)**

SAISD's District Improvement Plan (DIP) guides the School Board, staff, and community in working toward the mission and goals of educating all children and continuously improving their academic performance. Paramount is the need to follow the District Academic Plan which provides a strategic focus to provide a sense of direction for and establishing a commitment to educating students and graduating all for success in college or career.

***Governance Goal*** - establishes an effective operations structure that ensures organizational stability and maximizes student performance, effective planning, effective policy development and decision-making, prudent fiscal decision-making, and establishes district-wide accountability for all stakeholders at all levels of the organization.

***Academic Goal*** - establishes expectations of excellence and equity in student academic performance and provides high quality instructional programs for all students.

***Student Support Goal*** - establishes expectations of excellence and equity in student social and life skill development and provides high quality and personalized student support services to all students.

***Administration Goal*** - establishes an effective, efficient organizational structure that promotes excellence in the performance of all District staff and ensures high quality administrative support services through a district-wide accountability system.

***Human Resources Goal*** - establishes an effective recruitment, hiring, and retention process to maintain the desired quantity and quality of personnel necessary to achieve the organization's mission.

***Communication Goal*** - provides and maintains effective internal and external two-way communications that inform all stakeholders throughout the school district in a systematic and comprehensive way and are disseminated continuously and promptly.

**School-Community Relations Goal** - establishes and maintains student-centered and meaningful relationships with parents, business, civic, and community leaders to provide meaningful support to the public schools.

**Special Facilities Construction and Improvement (Bond Construction) Goal** - ensures effective and efficient implementation of the facilities construction and improvement program.

**While the District has carefully developed its improvement plan to fully address the charted course to exemplary, it is difficult to reflect all District initiatives within a single document. Most of the goals and strategies presented in this plan were those specifically crafted to articulate and coordinate school and District activities related to the improvement of the instructional process.**

## **Board of Trustees**

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

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

The Board of Trustees is elected by the citizens of the District to represent the community's commitment to a strong educational program for the District's children. Trustees serve without compensation, must be registered voters, and must reside in the District. Trustees are elected from single-member districts with elections being held biannually on the second Saturday in May of odd-numbered years for four-year terms in cycles keyed off the years below:

- Districts 1, 3, 4 & 7: 2009, 2013, 2017, 2021 and so forth
- Districts 2, 5, & 6: 2011, 2015, 2019, 2023 and so forth

### **Board of Education**

**James Howard, District 2,  
President**

**Carlos Villarreal, District 3,  
Vice President**

**Adela Segovia, District 4,  
Secretary**

**Olga M. Hernandez, District 6,  
Assistant Secretary**

**Ruben D. Cuero, District 1,  
Member**

**Ed Garza, District 7,  
Member**

**Patti Radle, District 5  
Member**

**Dr. Robert J. Durón  
Superintendent**

Generally, trustees meet on the third Monday of each month at 5:30 p.m. at the location in the District as posted with the notice for that meeting. The Board shall meet in a Board Agenda Review Session during the week prior to the regularly scheduled Board meeting. Additionally, Board Work Sessions may be scheduled as needed. A written notice of regular and special meetings will be posted on the district Web site and at the SAISD Board Room, 141 Lavaca, 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. Under certain circumstances, Texas law permits the Board to go into a closed session. Closed session may occur for such things as discussing prospective gifts or donations, real property acquisition, personnel issues including conferences with employees and employee complaints, security matters, student discipline, or to consult with attorneys regarding pending litigation.

# **Superintendent's Cabinet**

**Dr. Robert J. Durón**  
Superintendent

**Mary "Betty" Burks**  
*Deputy Superintendent*  
Teaching and Learning Division

**Toni Thompson**  
*Associate Superintendent*  
Human Resources

**Kamal ElHabr**  
*Associate Superintendent*  
Facilities Services and Construction

**Steven J. Bassett, CPA, RTSBA**  
*Associate Superintendent*  
Financial Services, Business Operations and Food Services

**Linda Marsh**  
*District Shepherd*  
School Leadership Division

**Jose H. Moreno**  
*Leadership Executive Director*  
School Leadership Division

**Mary Macias**  
*Leadership Executive Director*  
School Leadership Division

**Carol Saxenian**  
*Leadership Executive Director*  
School Leadership Division

**Marcos Zorola**  
*Chief Information Officer*  
Accountability, Technology & Management Information Systems

**Carmen Vázquez-González**  
*Executive Director*  
Governmental and Community Relations Division

**Leslie Price**  
*Executive Director*  
Communications and Printing Services

**Tiffany Grant**  
*Director*  
Board & Superintendent Services

# Human Resources Directory

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## **Human Resources Department**

Toni Thompson, Associate Superintendent  
554-8410

## **Employee Relations & Support**

Jason Pirruccello, Director  
554-8450

## **Administrative Services**

Cynthia Solis, Director  
554-8455

## **Recruitment, Hiring, & Retention**

Gabril J. Munoz, Director  
554-8520

## **Recruitment & Hiring, Elementary Schools**

Darlene Volz, Administrative Officer  
554-8502

## **Recruitment & Hiring Secondary Schools**

Norma Scarliff, Administrative Officer  
554-8503

## **Paraprofessionals & Substitutes**

Arnoldo Gutierrez, Administrative Officer  
554-8470

## **Classified Employees**

Mark Garza, Administrative Officer  
554-8449

## **Compensation & Systems Management**

Lisa Contreras, Director  
554-8460

## **Employee Benefits, Risk Management & Safety Department**

Irma R. Hernandez, Director  
554-8669

## **Policies, Procedures & Public Information**

John Norman, Administrative Officer  
554-8480

## **Coordinator**

Elizabeth Rojas  
554-8432



# Employment

## Equal Employment Opportunity

*Policy DAA , DIA*

The San Antonio Independent School District does not discriminate against any employee or applicant for employment because of race, color, religion, gender, age, national origin, disability, military status, genetic information, or on any other basis prohibited by Title IX of the Education Amendments of 1972. 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 are 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 Toni Thompson, the district Title IX coordinator. Employees with questions or concerns about discrimination on the basis of a disability should contact Irma Hernandez, the district's 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*

To the extent possible, announcements of job vacancies by position and location are posted on a regular basis on the District's web site.

## Employment After Retirement

*Policy DC*

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

## Contract and Non-Contract Employment

*Policies DC series*

State law requires the District to employ all full-time professional employees in positions requiring a certificate from the State Board for Educator Certification (SBEC) and nurses under probationary,

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

**Probationary Contracts:** Nurses and full-time professional employees new to the District and employed in positions requiring SBEC certification must receive probationary contracts during their first year of employment if they have not been previously employed by the District. Former employees who are hired after at least a two-year lapse in District employment also may be hired by probationary contract. The probationary period for those who have been employed in public schools 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, with an optional fourth school year if the Board determines it is doubtful whether a term or continuing contract should be given. In order to be considered a complete year the employee must begin working before or by the first day of instruction.

**Term and Continuing Contracts:** Full-time professionals employed in positions requiring certification and nurses will be employed by term or continuing 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.

**Non-certified Professional and Administrative Employees:** Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) may be employed by term contract, non chapter 21 contracts, or at-will.

**At-Will:** All paraprofessional employees (educational assistants, clerical staff, food service staff, plant service staff, and transportation staff), regardless of certification, are employed at-will and not by contract. Other District employees may also be employed at will. Employment is not for any specified term and may be terminated at any time by either the employee or the District.

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

### *Policy DHE*

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

**Employees Required to Have a Commercial Driver's License:** Any employee who is required to have 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 when their duties include driving a commercial motor vehicle.

Drug testing will be conducted before an individual assumes driving responsibilities. Random alcohol and drug tests will be conducted when reasonable suspicion exists, 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 when an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs returns to duty.

All employees required to have a CDL who 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 about alcohol and drug policies and related educational material should contact the Human Resources Department at 554-8440.

## **Health Safety Training**

### *Policy DBA, DMA*

Designated employees require certification through the American Heart Association CPR/First Aid/Automated

External Defibrillator (AED) course conducted by certified trainers. Training is required for all campus physical education teachers, campus nurses, health assistants, marching band directors, cheerleading coaches, student athletic trainers, middle/high school coaches or chief sponsors of an extracurricular athletic activity that is sponsored or sanctioned by the District or University Interscholastic League (UIL). Employees 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), and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, UIL, or another organization that provides equivalent training and certification. All coaches must have a current CPR, AED, and first-aid certification on file with their campus administrators and/or athletic coordinator before assuming their coaching duties.

## **Reassignments and Transfers**

### *Policy DK*

All personnel are subject to assignment and reassignment if the Superintendent or designee determines that the assignment or reassignment is in the best interest of the district.

Whenever possible, without violating contract obligations or policy provisions, the principal and department head will have input in the selection and placement of personnel. Assignments are made to approved, budgeted positions only. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and District policy DGBA (Local).

Employees will be notified of changes in assignments for the next school year as soon as possible, but no later than the last teacher contract day of the current school year. If a change in assignment is made later than the last contract day of the school year, the employee will be notified within ten business days of the decision. If a reassignment occurs after the last contract day, a written notice or conference may be requested to include the educational rationale for the reassignment.

Principals and department heads are responsible for assignments and reassignments of personnel within a campus or department. Requests for changes in assignment at the campus or department level must be submitted in writing to the principal or department head.

Employees with the required qualifications for a position may request a transfer to another campus or department. A request for transfer must be completed through the on-line process and submitted to the Human Resources Department in accordance with established procedures and timeframe. Requests for transfer during the school year will not be made except in unusual or exceptional circumstances.

The District has guidelines regarding restrictions for “identified” relatives to work on the same campus or department. The listing of restrictions is listed in DK (LOCAL).

## **Workload and Work Schedules**

*Policy DEA, DL*

**Professional employees:** Professional and academic administrators are exempt from overtime pay and are employed on a 10, 11, 11½, or 12-month basis, according to the work schedules set by the District. A school calendar is adopted each year designating the workday schedule for teachers and all school holidays. Notice of work schedules including start and end dates, and scheduled holidays are distributed to all employees each school year.

Classroom teachers will have planning periods for instructional preparation and 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 their lunch period one day a week when no other personnel are available.

**Paraprofessional 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 employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior written approval from their supervisor.

## **Notification to Parents Regarding Qualifications**

*Policy DBA, DK*

**Parent Notification Requirement:** In schools receiving Title I funds, the district is required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child’s teacher. NCLB also

requires that parents be notified if their child has been assigned, or taught for four or more consecutive weeks by a teacher who is not highly qualified. Texas law requires the parents to 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, is inappropriately certified, or if the child is assigned to uncertified teachers to include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. This notice is not required if parental notification under NCLB is sent. Employees who have questions about their certification status can call Cynthia Solis at 554-8456.

## **Outside Employment and Tutoring**

*Policy DBD (LOCAL)*

Employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the district. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest. Teachers are not allowed to privately tutor their students for pay, except during the summer months.

## **Performance Evaluation**

*Policy DN series*

Evaluation of an employee’s job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee’s assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the District. Reports, correspondence, and memoranda can also 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**

*Policy BQA, BQB*

At the campus, area, and District levels, San Antonio Independent School District offers opportunities for involvement in matters that affect employees. As part of the District’s planning and decision-making process, employees are elected to serve on District, area, or campus-level advisory committees as coordinated through the Integrated Communications Network. Plans and detailed information about the shared

decision-making process are available at each campus office or from the campus principal. Campus improvement plans are available at each campus. Information about this process is available at each campus or through the Parent, Community & Business Partnerships Department.

## **Professional Learning**

### *Policy DMD (LOCAL)*

Professional learning activities are organized to support the district's Theory of Action [See EHAA (LOCAL)]. Professional development will be structured and delivered around the comprehensive curriculum management system and aligned to student and employee performance standards. Appropriate professional development is designed for, provided to, and expected of all employees. Employees shall attend professional development sessions that occur before, during, or after duty hours, when requested by their supervisor. The design principles of the sessions will include a focus on customer service and communication at all levels. In addition, the design of the sessions will be results-driven and aligned to district, campus, and/or department goals. Professional development will include both voluntary and mandatory participation.

Individuals holding renewable State Board for

Educator Certification certificates are responsible for obtaining the required training hours and maintaining appropriate documentation.

# Compensation and Benefits



## Salaries, Wages, and Stipends

### *Policy DEA*

Employees are paid in accordance with administrative guidelines and an established pay structure. The District's compensation plans are reviewed by the administration each year and adjusted as needed. All District positions are classified as exempt or non-exempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are not entitled to overtime compensation. Non-exempt employees such as police, plant maintenance workers, bus drivers, driver assistants, warehouseman, mechanics, custodial workers, food service workers, clerical and paraprofessional staff are generally classified as non-exempt. These non-exempt employees are paid on an hourly rate and are subject to the overtime provisions of the Fair Labor Standards Act. Compensatory time may be paid in lieu of overtime monies for overtime hours that have been worked and/or accrued.

Salaries and wages are reviewed on an annual basis and adjusted according to the budgeted amounts approved by the Board of Trustees. All employees will receive written notice of their pay and work schedules at the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid not less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend or supplement in addition to their salary in accordance with the District's extra-duty pay schedule. These supplemental duties are not part of the employee's employment contract and can be terminated at any time and for any reason by the employee or the District.

Employees should contact the Human Resources Department, Compensation and Systems Management, at 554-8600 if they require additional information regarding their own pay or the District's pay schedules. Specific contact information may be obtained on the Human Resources web page.

## Annualized Compensation

### *Policy DEA*

The district pays all salaried employees over 12 months regardless of the number of months employed during the school year. Salaried employees will be

paid in equal monthly payments, beginning with the first pay period of the school year. If a salaried employee separates from service or retires under TRS, the employee shall receive in his or her final paycheck the unpaid amount the employee has actually earned from the beginning of the 12-month pay period until the date of separation, if any is due and owing.

## Paychecks

Professional and paraprofessional employees are paid monthly with the exception of 240, 245, 192, 185, 182 day employees, part time employees, substitute food service workers, and substitute teachers, who are paid on a bi-weekly schedule. During the school year, paychecks for employees who participate in the Direct to Bank Deposit Program are deposited to the financial institution of their choice. Payroll checks for employees who do not participate in this program are delivered to the campus as are payroll check stubs. Substitute teachers, substitute food service workers and part-time employees receive their payroll check stub at the home address on file.

Paychecks will not be released to any person other than the District employee named on the payroll check, without the employee's written authorization. During the summer break, pay checks will be deposited for participants in the Direct to Bank Program. Payroll check stubs are mailed to the home address on file, as are checks for employees not on the Direct to Bank Deposit Program.

## Automatic Payroll Deposit

Employees may have their paychecks electronically deposited into an account at any financial institution in Texas. With automatic deposit, an employee's pay will normally reach the various financial institutions the night before a scheduled pay date. Each employee using this service will receive an earning statement (voided check) on payday. Employees must complete the required form and submit a voided deposit slip to initiate this service. Contact the payroll office, 554-8550, for more information about the automatic payroll deposit service.

## Payroll Deductions

### *Policy CFEA*

Automatic payroll deductions for the Texas Teacher Retirement System (TRS), Social Security, and federal income tax are required for all employees. Medicare tax deductions also are required.

Other payroll deductions that appear on employee pay stubs include deductions for the employee's share of premiums for health, dental, life, and vision insurance; and annuities. Employees also may request payroll deduction for payment of membership dues to professional organizations, in accordance with Board Policy. Salary deductions are automatically made for unauthorized or unpaid leave.

## **Overtime Compensation**

### *Policy DEA*

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

Overtime is legally defined as all hours worked in excess of 40 hours weekly and is not measured by the day or by the employee's regular work schedule. Employees who must work beyond their normal schedule but less than 40 hours per week will be compensated in straight time pay or equivalent time off in the same work week. Employees must work more than 40 total hours in a week to earn overtime compensation. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Saturday and ends at midnight Friday.

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 non-exempt employees:

- All overtime must have prior approval from the employee's supervisor and in compliance with the appropriate administrative procedure (C3).
- Comp time must be used in the duty year in which it is earned.
- Employees can accumulate up to 60 hours of comp time with prior supervisor approval.
- 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 compensatory time before using available paid

leave (e.g., sick, personal, vacation).

- Weekly time sheets will be maintained on all non-exempt employees for the purpose of wage and salary administration.

## **Travel Expense Reimbursement**

### *Policy DEE*

Prior approval for all travel, including prepaid expenses such as supplies or books, must be obtained before any expenses are incurred by the employee's supervisor and the Finance Department. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district and the Internal Revenue Service (*see SAISD Travel Guidelines*). Employees must submit receipts and follow other guidelines to be reimbursed for expenses.

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

### *Policy CRD*

Group health insurance coverage is available to all eligible employees. The District's contribution to employee insurance premiums is determined annually by the Board of Trustees. Detailed descriptions of insurance coverage, prices, and eligibility requirements are provided to all employees in separate benefits packets and publications.

The insurance plan year is from January through December. New employees must enroll within 31 days from the first day of employment. Current employees can make changes in their insurance coverage during the annual enrollment period (usually August-September) of each year. Employees should contact the Employee Benefits & Risk Management Department at 554-8662 for more information.

## **Pre-Tax Plan**

(Cafeteria Plan, Section 125)

Employees may be eligible to participate in the Pre-Tax Plan (Cafeteria Plan, Section 125) and, under IRS regulations, must either accept or reject this method of payroll deduction. This plan enables eligible employees to pay certain insurance premiums on a pre-tax basis (e.g., health, dental, life, and vision).

New employees must decide whether they want to participate during their first month of employment. All employees have an opportunity to change pre-tax status during the specified annual enrollment 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. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the supervisor. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code by the Texas Workers' Compensation Commission.

## **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 Employee Benefits & Risk Management Department at 554-8667.

## **Teacher Retirement**

### *Policy DEG*

All personnel employed on a regular basis and who contribute to TRS are members of the Teacher Retirement System of Texas (TRS). To be eligible for TRS membership credit, substitute service must have been for a minimum of 90 days in one school year. Substitute service rendered in more than one school district, within the same school year, may be combined to meet the 90-day minimum requirement.

TRS provides members with an annual statement of their account showing all deposits and the total account balance as well as an estimate of their retirement benefits.

An employee who plans to retire under TRS should notify his/her immediate supervisor and Human Resources Department by completing and submitting the D16-A "NOTICE OF RETIRMENT OR RESIGNATION" form as soon as possible. For assistance with the TRS retirement process, please contact the Employee Benefits & Risk Management department at 554-8664. Additional inquiries should be addressed to:

**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.state.tx.us](http://www.trs.state.tx.us)).*

# Leaves and Absences



## Leaves and Absences

### Policy DEC, DECA, DECB

The district offers employees paid and unpaid leaves of absence in time of personal need. This handbook describes, in summary, the basic types of leave available and restrictions on leaves and absences. (For more specific details reference *DEC, DECA and DECB Legal, DEC Local and DEC Administrative Procedures*) Employees, who are absent or anticipate being absent more than five consecutive workdays because of personal illness or illness in the immediate family, should call 554-8668 or 554-8671 for information about leave application requirements, benefit continuation while on leave, eligibility for family medical leave and submission of medical certification requirements evidencing the need for a leave.

### Leave Available for Use

For all employees, except employees new to the District, state personal and local sick leave, for the current year, are available for the employee's use at the beginning of the school year. New employees may use state personal or local sick leave after working one complete work day. Employees are not eligible for paid leave for more workdays than have been accumulated in prior years plus those to be earned during the current year. Any absences beyond available leave will result in deductions from the employee's pay and will subject the employee to disciplinary action up to and including termination.

### Earning Leave

An employee will not earn leave when he/she is on an unpaid leave. An employee using full or proportionate paid leave shall be considered to be in paid status.

An employee shall earn state personal leave up to the statutory maximum of five workdays annually at the rate of one-half workday for every 18 days of employment. Under current law, each employee shall receive five days per year of "discretionary personal" leave with no limit on accumulation.

All employees earn up to five workdays of paid local non-discretionary sick leave per school year. However, an employee whose employment exceeds 194 workdays shall be eligible to earn a prorated portion of two additional workdays of local leave. The proration

shall occur in half-day increments based on the total number of days worked in a regular position.

### Order of Use

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

1. Local sick leave, until exhausted.
2. State sick leave accumulated before the 1995-96 school year, until exhausted.
3. State personal leave, until exhausted.

### Requesting a Substitute or Reporting an Absence

When an employee must be absent there are specific guidelines for reporting purposes. The following eligible employees **MUST** request a substitute through the Sub Finder system or Web Connect:

- Teachers
- PK Assistants
- Special Education Support Personnel (SSP)
- Deaf Interpreters
- PE Assistants
- Elementary Library Assistants
- Instructional Assistants (State Comp)
- Child Development Specialists
- Cooks (secure substitutes through their cafeteria manager)

The SubFinder System and Web Connect are operable 24 hours a day, seven days a week. The number to enter SubFinder is (210) 272-8200. In order to access Web Connect, simply log onto the District's web site at <http://www.saisd.net>.

You may contact the SubFinder Help Desk at (210) 554-8475.

Verbal commitments are binding and **MUST** be entered into the SubFinder system. At this time, all personnel not eligible for the SubFinder system shall report his/her absence in accordance with their campus or department reporting procedures.

## **Non-Discretionary Use of Leave**

Non-discretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. Non-discretionary use of leave is leave used for the employee's immediate family, leave used for emergencies, leave used for a death in the employee's immediate family, or leave used when situations, occurrences, or incidents prevent the employee from reporting to work.

## **Discretionary Use of Leave**

Discretionary use of leave is leave for which the employee knows in advance will be necessary and/or leave that can be planned for in advance. An employee who wishes to use discretionary leave must submit an absence from duty report as soon as they are aware of the need for the absence but no less than five (5) workdays before the anticipated absence. Use of discretionary personal leave shall be considered granted unless the principal or immediate supervisor notifies the employee to the contrary within 72 hours of the request. Discretionary use of state personal leave shall not be approved for more than three (3) consecutive workdays. The use of discretionary days by any employee in a manner that negatively impacts the students or mission of the District may be addressed through the District's disciplinary procedures. The following factors will be considered in approving or denying discretionary leave:

1. On the first five or last five teaching days of each school year;
2. On the day before or after an extended break consisting of three or more consecutive days (excluding weekends);
3. On days scheduled for end of semester or end of year exams;
4. The week prior to state-mandated assessments;
5. The week during state-mandated assessments;
6. On assigned professional or staff development days.

## **Recording of Leave**

Leave shall be recorded in accordance with guidelines found in the payroll manual and in administrative procedures, except in accordance with provisions for intermittent leave in the Family and Medical Leave Act (FMLA) or when coordinated with workers' compensation benefits. An employee will be charged leave as used even if a substitute is not employed or required.

## **Concurrent Use of Leave**

When an absent employee is eligible for FMLA leave, the District will designate the absence as FMLA leave

and require the employee to use compensatory time, paid leave, and temporary disability leave concurrently with FMLA leave. An absence due to a work-related injury or illness shall run concurrently with and be designated as FMLA leave, if applicable.

## **Family Medical Leave General Provisions**

For purposes of an employee's entitlement to FMLA, the rolling 12-month period shall be measured backward from the date an employee uses FMLA leave. FMLA leave entitlement is up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Birth, adoption, or foster placement of a child
- Care for a spouse, parent, or child with a serious health condition
- Care for the employee's own serious health condition
- A qualifying exigency resulting from a family member's call to active military duty
- Care for a family member who is a current U.S. service member and who becomes seriously ill or injured in the line of duty while on active duty

If both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave for a combined total of 26 weeks.

The District shall not permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee.

An employee shall comply with reasonable requests from the District to provide medical certification or clarification from the treating health care provider(s) licensed to practice in the United States if illness or injury is the reason for the leave. Medical certification shall be provided in increments of at least every 30 days or in more frequent intervals as requested by the District. If the employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification.

A teacher desiring to return to work at or near the conclusion of a semester shall be reinstated in accordance with LEAVE AT THE END OF A SEMESTER in DECA (LEGAL).

If at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums paid by the District during the leave. Additionally, failure to return to work absent a resignation shall be considered good cause for termination.

### **Temporary Disability Leave**

An unpaid or paid leave of absence for temporary disability under the Education Code is available only to full-time educators. "Full-time educators" shall mean employees whose positions require certification as required by Chapter 21 of the Education Code and the State Board of Educator Certification. The maximum length of temporary disability shall be 180 calendar days. The full-time educator shall make a request for a leave of absence for temporary disability to the Superintendent or designee. The request shall include medical certification confirming the employee's inability to work and shall state the date the leave will begin and probable date of return as certified by the physician.

The Board may place an educator on a leave of absence for temporary disability if, in the Board's judgment and in consultation with a physician who has performed a thorough medical examination of the educator, the educator's conditions interferes with the performance of his or her regular duties. The Board's inquiry must be job-related and consistent with business necessity.

A full-time educator who returns to work after a leave of absence for temporary disability shall be entitled to an assignment at the school where the educator formerly taught, subject to the availability of an appropriate teaching position. If unavailable, the employee shall remain on inactive status until a position is available. In any event, the educator shall be placed on active duty no later than the beginning of the next school year.

All other professionals under contract who qualify for temporary disability leave may return to a previously vacated position, subject to availability, upon release to return to work. If the position is unavailable, the employee shall be assigned to an alternate position through the end of the contract term.

### **Workers' Compensation**

Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance.

An employee eligible for workers' compensation income benefits and not on assault leave may elect in writing to use available partial-day increments of paid leave to make up the difference between the employee's income benefits and the pre-injury daily base rate of pay.

The employee shall have two options for receiving workers' compensation income benefits. If no election is made, the employee shall lose the option to use available accumulated leave in lieu of workers' compensation income benefits. Once an election is chosen, from the following, it cannot be changed:

1. An employee may elect to receive workers' compensation benefits; or
2. An employee may elect to receive workers' compensation benefits and use available accrued leave, not to exceed the employee's pre-injury daily base rate of pay.

### **Assault Leave**

Assault leave, during which the employee receives workers' compensation wage benefits supplemented by the District up to the pre-assault weekly salary, shall not be designated as family and medical leave.

### **Sick Leave Bank**

The District shall establish a sick leave bank that employees may join through contribution of earned local sick leave or state personal leave.

Leave contributed to the bank shall be extended to the employee's immediate family. An employee who is a member of the bank and who has exhausted all available paid leave, and who suffers from a catastrophic illness or injury or is absent due to the catastrophic illness or injury of a member of the employee's immediate family, may request leave from the bank.

If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request.

The Superintendent or designee shall develop administrative procedures for the operation of the sick leave bank that address the following:

1. Membership in the sick leave bank, including the number of days an employee must donate to become a member;
2. Procedures to request leave from the sick leave bank;
3. The maximum number of days per school year a member employee may receive from the sick leave bank;

4. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests; and
5. Other procedures deemed necessary for the operation of the sick leave bank.

### **Other Employment While on Leave**

An employee may not perform work in any capacity while on any type of leave status with the District, whether with the District or with another employer, except as approved by the District as part of an approved return-to-work or transitional duty assignment at the District. Exceptions may be granted for employees on approved professional development leave to substitute or work part-time in the District.

Working during a leave of absence without prior approval from the District shall be considered a violation of the District's leave policy and may be grounds for immediate termination of at-will employees or recommendation of termination for contract employees.

### **Professional Development Leave**

An employee who is not on probationary status may be granted leave without pay for the purpose of professional development. Such leave shall generally be for a period of one term or one employment year, although a shorter term may be granted upon approval by the Superintendent or designee.

Professional development leave is to be used to pursue additional certification or study at an accredited college or university or for other professional development activities that are approved by the Superintendent or designee. The District has chosen not to grant developmental paid leaves of absence under Education Code 21.452. Leave shall not be granted for online or correspondence courses, and all leave must be approved by the Superintendent or designee.

### **Bereavement Leave**

Use of leave for death in the employee's immediate family shall not exceed five workdays per occurrence, subject to the approval of the District. If no accrued leave is available, the employee may request up to five unpaid workdays for the death of an immediate family member.

### **Court Appearances**

Compliance with a valid subpoena related directly to District business or the employee's position with the District shall be fully compensated by the District and

shall not be deducted from the employee's pay or leave balance. All other court appearances shall be deducted from the employee's pay or leave balance. All other court appearances shall be deducted from the employee's discretionary personal leave or shall be taken by the employee as leave without pay.

An employee shall be granted leave with pay and without loss of accumulated leave for jury duty. The employee shall be required to present documentation of the service and shall be allowed to retain any compensation for this service.

### **Military Leave**

Any employee who is a member of the Texas National Guard, Texas State Guard, or reserves component of the United States Armed Forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days per federal fiscal year (October 1 through September 30). In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

### **Reimbursement of Leave Upon Separation**

The following leave provisions shall apply to state and local sick leave earned by a District employee.

An employee who separates from employment with the District shall be eligible for reimbursement of state and local sick leave under the following conditions:

1. If retiring, the employee must be eligible for retirement under applicable TRS guidelines;
2. If resigning, the employee must have ten years of consecutive service with the District immediately preceding the resignation;
3. The employee must be a full-time employee, as defined by District Policy;
4. The employee shall be employed through the last workday as established by the calendar for the current year; and

The employee provides advance written notice of intent to separate from employment. Employees must provide written notice of their resignation to the Human Resources department no later than April 15<sup>th</sup>, or the next business day if it falls on a weekend or school holiday. The employee shall be reimbursed for each day of state and local sick leave, at a rate established by the Board. The Board shall have the exclusive right to change, suspend, or terminate this program at any time and for any reason based on the needs of the District.

## **Absence Control Policy Provisions**

All employee leave shall be provided for the specific purposes stipulated in policy and/or state law. An absence from work shall be based on a particular leave status. An employee's absence without leave (AWOL) shall not be permitted and shall be deemed an abuse of the leave program. Abuse of the employee leave program, including excessive absenteeism, is a violation of District policy and may result in disciplinary action up to and including loss of pay, suspension, demotion, or termination of employment.

An absence without leave means being absent without available leave and not on Superintendent-approved administrative leave.

Employees shall arrive to work by the time designated by their work schedules. Unexcused or excessive tardiness may result in disciplinary action up to and including termination of employment and shall constitute good cause for termination of employment.

An employee may be terminated for good cause when he or she:

1. Fails to return to work and fails to notify the Employee Benefits and Risk Management department within three workdays following a release by the treating physician;
2. Fails to report to work and fails to request or extend a leave of absence; or
3. Fails to report to work after exhausting all paid leave and, if eligible for leave of absence, does not request a leave.

The uniform enforcement of a reasonable absence control policy is not retaliatory discharge.

All employee leave shall be provided for the specific purpose stipulated in policy and is not intended to be used as a vacation or for mere convenience. Except for discretionary use of state personal leave, documentation may be required for any chronic absences as determined by the Superintendent or designee. Abuse of the employee leave program and/or excessive absenteeism is a violation of District policy and may result in disciplinary action up to and including loss of pay, suspension, demotion, or termination of employment, in accordance with appropriate District policies.

Upon the expiration of all leave for which an employee has applied and is eligible, the District shall notify the employee in writing that his/her leave has expired if the employee has not already returned to work.

An employee shall have ten workdays within which to apply for any leave for which the employee may be eligible or to notify the District in writing that the employee is ready, willing, and able to return to work. A medical clearance showing that the employee is physically able to perform the essential functions of his/her positions, with reasonable accommodations if necessary, shall be required to return to work. Additionally, some jobs shall require the employee to submit to a fitness-for-duty evaluation paid for by the District wherein the employee must demonstrate the ability to meet all of the essential functions of his or her job.

An at-will employee who does not receive approval of such additional leave and who does not report and document his or her availability and fitness to return to work within the ten workday period shall be deemed to have voluntarily resigned his or her employment with the District, effective immediately upon the expiration of the ten workday period designated in such notice, and shall be offered health benefits according to COBRA.

An at-will employee who fails to return to work after exhausting all available leave, regardless of the type of leave, shall be deemed to have voluntarily resigned his/her employment with the District and shall be offered health benefits according to COBRA.

A contract employee's failure to receive approval of such additional leave and his or her subsequent failure to report and document his or her availability and fitness to return to work, within the ten workday period, shall be considered good cause for termination. A contract employee's failure to return to work after exhausting all available leave, regardless of the type of leave, shall be considered good cause for termination in accordance with applicable District policies.

# Employee Recognition and Communications



## Employee Recognition and Appreciation

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

- KENS TV Excel Award
- Trinity Prize and Excellence Award
- San Antonio Spurs Teacher of the Game
- H-E-B Teacher Award
- National Board Certified Teachers (yearly)
- Service Pins (distributed on 5-year increments for SAISD service)
- Rising Star New Teacher Award

## District Communications

Throughout the school year, the Communication and other departments publish newsletters, brochures, fliers, calendars, news releases, and other communication materials in hard copy and on-line at: ([www.saisd.net](http://www.saisd.net)). These publications offer employees and the community information pertaining to school activities and achievements. They include the following:

- ***Duron's Digest*** – an update from the superintendent for the public and staff
- ***Vision SAISD*** – A community newspaper delivered three times a year to all SAISD households and businesses.
- ***Board Highlights*** – A monthly email regarding Board of Trustee meeting actions and information distributed to all active SAISD email accounts.

# Complaints and Grievances



## Complaints and Grievances

*Policy DGBA*

In an effort to hear and resolve employee 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 problems or complaints with their supervisors or appropriate administrator at any time.

The formal grievance process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative grievance procedures are exhausted, employees may present the grievances to the Board of Trustees during the open forum portion of a subsequent Board meeting. For ease of reference, the District's policy concerning the process of bringing complaints and grievances is reprinted as follows:

### Personnel-Management Relations:

#### Employee Complaints

*Policy DGBA*

##### Purpose

The purpose of this policy is to provide employees an orderly process for the prompt and equitable resolution of complaints. The Board intends that, whenever feasible, complaints be resolved at the lowest possible administrative level.

##### Notice to Employees

The principal of each campus and other supervisory personnel shall ensure that all employees under their supervision are informed of this policy. Employees shall be provided a copy of the policy at the time of employment. The policy is also available at [www.saisd.net](http://www.saisd.net).

##### Definition

Complaints under this policy shall be limited to allegations of violations of specific written Board policy, specific allegations of unlawful discrimination in employment on the basis of gender (including allegations of sexual harassment), race, religion, national origin, age, or disability, or on the basis of the employee's exercise of constitutional rights [See DIA

(LOCAL)]. A complaint must specify the individual harm alleged.

Complaints not alleging a violation of written Board policy, unlawful employment discrimination, or deprivation of a constitutional right shall be resolved in accordance with administrative procedures at the administrative level closest to the complainant, and shall not be covered by the following provisions. If not resolved by administrators to the satisfaction of the employee bringing the complaint, the employee may present the complaint to the Board during the open forum portion of a subsequent Board meeting. [See BED (LOCAL)]

Complaints shall be specific and may not be required to proceed on the basis of allegations that are merely conclusionary in nature. Complaints brought under this policy shall be in writing and shall identify the Board policy and each specific act and/or omission complained of that is alleged to be a violation of Board policy. Complaints shall specify each specific act and/or omission complained of that is alleged to be employment discrimination or a deprivation of a constitutional right.

##### 'Whistleblower' Complaints

Employees who allege unlawful discrimination in retaliation for reporting a violation of law to an appropriate authority [see DG] shall invoke this policy no later than 15 workdays after the date the alleged adverse employment action occurred or the employee first knew of the alleged adverse employment action. The complaint shall begin at Level Two. If the complaint is not resolved at that level, the Superintendent shall ensure that the matter reaches the Board expeditiously. Time lines for the employee and the District set out in this policy may be shortened to ensure that the Board's final decision is made before the 61st day following the initiation of the grievance procedure.

## **General Provisions**

Neither the Board nor the administration shall unlawfully retaliate against any employee for bringing a complaint under this policy.

**Timelines:** In presenting and resolving complaints, time is of the essence. Unless otherwise set out herein or in related policy [see DIA (LOCAL)], all time limits shall be strictly complied with, unless extended by mutual consent. All references are to official District workdays of the person required to act under this policy, whether worked or not by that person.

The administrator at each level shall respond in writing to the employee within ten days from the completion of a grievance hearing. The employee has ten days after receiving a response to appeal to the next level. The complaint shall be considered concluded if the employee does not appeal within that time limit.

**Statement of Particulars:** If a complaint is found to be too vague, general, or indefinite at any level of this policy, the time lines at the complaint level shall be held in abeyance, during which time the complainant shall be required to prepare a written statement of particulars, setting out with specificity the act(s) or omission(s) complained of in order to afford the respondent with fair notice and an opportunity to adequately respond in writing to each charge or offer a remedy.

The person at whose level the complaint is pending or the Board or its designee may conduct a pre-hearing conference or make such other orders as may be deemed necessary or appropriate to clarify issues, afford the respondent with fair notice and an opportunity to respond, and assist in the resolution process.

As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place. The employee's recording will be in addition to and shall have no bearing on the administration's recording of the conference which is kept as part of the official record.

## **Consolidation**

When the Superintendent determines that two or more individual complaints are sufficiently similar in nature and remedy to permit their resolution

through one proceeding, the Superintendent may consolidate the complaints. All complaints arising out of an event or related series of events must be addressed in one complaint. An employee is precluded from bringing separate or serial complaints concerning events about which the employee has previously complained.

**Cost:** Costs of any complaint shall be paid by the party incurring them.

## **Appeals to the Board**

The employee and the administration shall have an opportunity to make presentations, not to exceed 30 minutes, to the Board. [See BED (LOCAL)] Any and all complaints before the Board shall be recorded by audio tape. The Board shall listen to the complaint, but is not required to respond or take any action on the matter. No action by the Board upholds the administrative decision at the previous level.

If the appeal to the Board is not an item on the posted agenda, the Board shall not deliberate, discuss or decide with respect to the matter other than to propose to place the matter on the agenda for a subsequent meeting.

**Closed Meeting:** If the complaint involves the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the complaint, it shall be heard by the Board in closed meeting unless the employee bringing the complaint requests it to be heard in public. However, if the complaint constitutes a complaint or charge against another District employee, it shall be heard in closed meeting unless an open hearing is requested in writing by the employee against whom the complaint charge is brought.

**Announcement of Decision:** Announcement by the Board or Board designee of a decision in the employee's presence constitutes communication of the decision. The announcement shall be followed by a written notice of the decision.

## **Grievance Levels**

**Level One:** An employee who has a complaint shall request a meeting with the party designated herein for initial complaint resolution within 30 days of the time the employee first knew or should have known of the event or series of events causing the complaint. The employee bringing the complaint shall submit the complaint in writing.

Unless otherwise agreed between the parties, the Level One meeting shall be conducted within ten days of receipt of the written complaint. The principal/supervisor shall notify the employee of the date, time and place of the grievance hearing at which the complaint may be given. The administrator shall respond in writing to the employee within ten days from the completion of a grievance hearing. The employee has ten days after receiving a response to appeal to the next level. The complaint shall be considered concluded if the employee does not appeal within that time limit. The party designated herein for initial complaint resolution for purposes of this policy is:

- In the case of professional employees other than employees assigned to a campus: the employee's supervisor(s).
- In the case of classroom teachers, other professional employees, and paraprofessional employees assigned to a campus: the principal.
- In the case of paraprofessional employees other than employees assigned to a campus: the employee's supervisor(s).
- In the case of cafeteria personnel: the executive director or designee
- In the case of custodial personnel: the principal or supervisor.
- In the case of plant maintenance and operations personnel not assigned to a school unit: the director and executive director for the department in which they are assigned.
- In the case of transportation services personnel and SAISD Police Department personnel: their department supervisors.
- In the case of substitutes: an HR administrator
- In the case of employees who are not covered by any of the above categories: the principal or the employee's supervisor(s), whoever is appropriate.

**Level Two:** If the outcome of the hearing at Level One is not to the employee's satisfaction, or if the administrator does not respond in writing to the

employee within ten days from the completion of the grievance hearing, the employee may request to meet with the Level Two party designated to hear appeals from Level One. The employee has ten days after receiving a response at Level One to appeal to Level Two. Unless otherwise agreed among all parties, the Level Two meeting shall be conducted within 15 days of receipt of the written complaint; in extenuating circumstances, the time period may be extended to 20 days. If the 15-day period for a Level Two hearing falls during the summer months when employees involved in the hearing are not on duty, the hearing will be conducted as soon as practicable following the return of all parties to duty, or earlier when agreed upon by all parties involved, or when otherwise necessary to comply with DGBA (LEGAL).

The administrator shall respond in writing to the employee within ten days from the completion of a grievance hearing. The employee has ten days after receiving a response at Level Two to appeal to Level Three. The complaint shall be considered concluded if the employee does not appeal within that time limit.

The Superintendent or designee shall notify the employee of the date, time, and place of the grievance hearing at which presentation of the appeal may be given. The party designated herein for Level Two appeals for purposes of this policy is the Superintendent or designee.

**Level Three:** If the outcome of the hearing at Level Two is not to the employee's satisfaction, or if the administrator does not respond in writing to the employee within ten days from the completion of the grievance hearing, the employee may request to meet with the Level Three party designated to hear appeals from Level Two. The employee has ten days after receiving a response at Level Two to appeal to Level Three. The complaint shall be considered concluded if the employee does not appeal within that time limit.

The Superintendent or designee shall notify the employee of the date, time, and place of the meeting at which presentation of the appeal may be given. The meeting at which the Board hears the appeal shall be held within 30 days of receipt of the appeal, unless otherwise agreed upon by all parties involved.

For purposes of Level Three, "days" refers to official District workdays of all parties involved. If the 30-day period for a Level Three hearing falls during the summer months when employees involved in the hearing are not on duty, the hearing will be conducted as soon as practical following the return of all parties to duty, or earlier when agreed upon by all parties involved, or when otherwise necessary to comply with DGBA(LEGAL).

The presiding officer may set reasonable time limits. The Board shall hear the grievance and may request a response from the administration. The District shall make an audiotape recording of the Level Three proceeding before the Board.

The Board shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting.

The party designated herein for Level Three appeals for purposes of this policy is the Board.

**Other Review Process:** Some complaint topics are governed by other review processes and are not subject to this policy. Employee termination procedures are found in policy series *DF* and at *DCD (LOCAL)*. An employee's dismissal or non-renewal may be the subject of a complaint under this policy only if the District does not otherwise provide for a hearing on the matter. For third party complaints against peace officers, see *CKE (LEGAL)*.

**Sexual Harassment:** No procedures or steps in this policy shall have the effect of requiring the employee alleging sexual harassment to present the matter to a person who is the subject of the complaint. The employee may proceed to the next higher level. [See also *DIA (LOCAL)*]

At any time during the grievance process, the employee or the person who hears the complaint may turn a complaint of sexual harassment over to a Title IX coordinator, who shall be responsible for conducting an investigation of the facts, facilitate mediation between the complainant and the person against whom the complaint has been directed, and/or make recommendations to the Superintendent. [See *DAA (LOCAL)*]

The Title IX coordinator shall have the power to require employees to fully cooperate in the investigation of any such complaint.

Upon referral to a Title IX coordinator, the complaint process initiated under this policy shall be abated until the completion of the Title IX coordinator's investigation and/or mediation services and until appropriate recommendations have been made to the Superintendent. The Superintendent shall be apprised of all proposed settlement agreements between the parties and consider recommendations by the Title IX coordinator.

The Superintendent may adopt the recommendations of the Title IX coordinator as the Superintendent's own findings and disposition, or may conduct, individually or through a designee, a review of the complaint at the Superintendent's level for complaint appeals under this policy, at which level the matter shall either be settled or the complainant may proceed to Level Three, step 8, for complaint appeals under this policy.

#### **Nondiscrimination**

The names of District coordinators for compliance with federal nondiscrimination laws are found in *DAA (LOCAL)*. Issues specific to sexual harassment complaints are found in Board policy *DIA (LOCAL)*.

# Employee Conduct and Welfare



## Standards of Conduct

### Policy DH

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

- Recognize and respect the rights and property 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 procedures and policies.
- 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 employees serve as role models for the student body. As such, employees shall treat all individuals with respect, dignity, good manners, and civility demanded of a civilized nation. An intentional failure to comply with one or more specific standards of behavior previously communicated will subject an employee to disciplinary action, including but not limited to reprimand, reassignment, suspension with or without pay, contract non-renewal, termination of employment other than non-renewal, or other appropriate Board or administrative action.

All District employees should perform their duties in accordance with state and federal law, district policy, and ethical standards. Violations of policies, procedures, or guidelines may result in disciplinary action, up to and may include termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the Superintendent first learns of the incident.

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

## Texas Educators' Code of Ethics

### Purpose and Scope

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

## Enforceable Standards

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

#### Standard 1.1

The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, or 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, direct or coerce others to do so.

**Standard 1.7**

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

**Standard 1.8**

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

**Standard 1.9**

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

**Standard 1.10**

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

**Standard 1.11**

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

**Standard 1.12**

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

**Standard 1.13**

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

**2. Ethical Conduct Toward Professional Colleagues****Standard 2.1**

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

**Standard 2.2**

The educator shall not harm others by knowingly making false statements about a colleague or the

school system.

**Standard 2.3**

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

**Standard 2.4**

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

**Standard 2.5**

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

**Standard 2.6**

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

**Standard 2.7**

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

**3. Ethical Conduct toward Students****Standard 3.1**

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

**Standard 3.2**

The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or 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.

**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 parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal / unauthorized drugs in the presence of the educator.

**Standard 3.8**

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

**Standard 3.9**

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

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

**Discrimination, Harassment and Retaliation**

*Policies DH, DIA*

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees 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.

Employees 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 employee shall report the complaint directly to the Superintendent. A complaint against the Superintendent may be made directly to the board.

An employee may appeal the decision of the principal or supervisor regarding the investigation into the allegations in accordance with the employee complaint and grievance policy and procedures. To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation. The District will not retaliate against an employee who in good faith reports perceived harassment.

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

The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.

Discrimination 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.

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:

1. Has the purpose or effect of unreasonably interfering with the employee’s work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or,

3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

Sexual harassment is a form of gender discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. the conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

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.

In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.

For the purposes of this policy, the District officials are the Title IX/ADEA coordinator, the ADA/Section 504 coordination, and the Superintendent.

Title IX/ADEA Coordinator: Associate Superintendent, Human Resources Department

ADA/Section 504 Coordination: Director, Employee Benefits/Risk Management

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

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

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

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

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

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

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

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

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

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

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond

by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct. To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

A complainant who is dissatisfied with the outcome of the investigation may appeal through the DGBA (LOCAL), beginning at the appropriate level. The complainant may have a right to file a complaint with appropriate state or federal agencies.

Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years.

## **Discrimination, Harassment, and Retaliation of Students**

*Policies DF, DH, FFG, FFH*

Sexual or 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 or know that a student may have experienced or is being harassed by a school employee or by another student shall inform his or her principal or immediate supervisor.

Any allegation of harassment of students or employees shall be investigated and addressed. 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 34* and *Bullying, page 46* for additional information.

"Abuse" has the meaning assigned by Family Code 261.001 and includes any sexual conduct involving an educator and a student or minor.

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

1. Behavior, gestures, expressions, communications, or a pattern of communication with a student that is unrelated

to the educator's job duties and that may reasonably be interpreted as encouraging the student to form an ardent or exclusive emotional attachment to the educator, including statements of love, affection, or attraction. When evaluating whether communications constitute the solicitation of a romantic relationship, the following may be considered:

- a. The nature of the communications;
  - b. The timing of the communications;
  - c. The extent of the communications;
  - d. Whether the communications were made openly or secretly;
  - e. If the educator claims to be counseling a student, TEA staff may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate law enforcement agencies; and
  - f. Any other communications tending to show that the educator solicited a romantic relationship with a student.
2. Making inappropriate comments about a student's body;
  3. Making sexually demeaning comments to a student;
  4. Making comments about a student's potential sexual performance;
  5. Requesting details of a student's sexual history;
  6. Requesting a date;
  7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party;
  8. Inappropriate hugging, kissing, or excessive touching;
  9. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage; or
  10. Any other acts tending to show that the educator solicited a romantic relationship with the student, including providing the student with drugs or alcohol.

The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by policy. Retaliation against anyone involved with the complaint process is a violation of District policy.

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or on any other basis prohibited by law, that adversely affects the student.

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

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Prohibited harassment includes dating violence as defined by this policy.

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
  - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
  - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual.

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner.

For the purpose of District policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

The District prohibits retaliation against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding discrimination or harassment, including dating violence, is subject to appropriate discipline.

In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct. Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

For the purposes of this policy, District officials are the Title IX coordinator, the Section 504 coordinator, and the Superintendent.

Reports of discrimination based on gender, including sexual harassment, may be directed to the Title IX coordinator. The District designates the Director of Guidance and Counseling at 223-1506 to coordinate its efforts to comply with Title IX of the Education Amendments of 1972.

Reports of discrimination based on disability may be directed to the Section 504, Senior Coordinator, Leticia Carrasco at 354-3983. The District has designated this employee to coordinate its efforts to comply with Section 504 of the Rehabilitation Act of 1973.

The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

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

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

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

Any District employee who receives notice that a student has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form. Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately

authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

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

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

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

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

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

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

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

A student who is dissatisfied with the outcome of the investigation may appeal through FNG (LOCAL), beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the United State Department of Education Office for Civil Rights.

Retention of records shall be in accordance with FB (LOCAL) and CPC (LOCAL).

Information and notification regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies are available on the District web site at [www.saisd.net](http://www.saisd.net) and at each campus/District office.

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

*Policies DH, DI*

San Antonio ISD is committed to maintaining a 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 on drug abuse and drug-free schools follows:

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

- 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;
- Alcohol or any alcoholic beverage;
- Any abusable glue, aerosol paint, or any other chemical substance for inhalation; or
- Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

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

An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employee's use shall not be considered to have violated this policy.

## **Drug-Free Workplace Requirements**

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

The District shall maintain a drug-free environment and shall establish, as needed, a drug-free awareness program complying with federal requirements. [See DH] The program shall provide applicable information to employees in the following areas:

1. The dangers of drug use and abuse in the workplace.
2. The District's policy of maintaining a drug-free environment. [See DH(LOCAL)]

3. Drug counseling, rehabilitation, and employee assistance programs that are available in the community, if any.
4. The penalties that may be imposed on employees for violation of drug use and abuse prohibitions. [See DI(EXHIBIT)]

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

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

As a condition of employment, an employee shall:

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

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

Within ten days of receiving such notice from the employee or any other source the District shall notify the granting agency of the conviction. 41 U.S.C. 702(a) (1) (D), (E)

Within 30 calendar days of receiving notice from an employee of a conviction for any drug statute violation occurring in the workplace, the District shall either (1) take appropriate personnel action against the employee, up to and including termination of employment, or (2) require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. 41 U.S.C. 703 [This notice complies with notice requirements imposed by the federal Drug-Free Workplace Act (41 U.S.C. 702) and notice requirements imposed by the Texas Workers' Compensation Commission rules at 28 TAC 169.2]

## Reporting Suspected Child Abuse

*Policy DG, DH, FFG, GRA*

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

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

Reports to Child Protective Services division of the TX Department of Family and Protective Services can be made to a local office or to the Texas Abuse Hotline (800-252-5400) or on the Web at <http://www.txabusehotline.org>. 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 the 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 Code of Ethics and Standard Practices for Texas Educators.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agencies. Reporting the concern to the principal **does not** relieve the employee of the requirement to report to the appropriate state agency. In addition, employees must cooperate with child abuse and neglect investigators. 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.

The district has established a plan for addressing child sexual abuse, which may be accessed at Administrative Procedure F8 on the District's web site. 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. 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. 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*.

## Fraud and Financial Impropriety

*Policy CAA*

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

- Forgery or unauthorized alteration of any document or account belonging to the District;
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document;
- Misappropriation of funds, securities, supplies, or other District assets, including employee time;
- Impropriety in the handling of money or reporting of District financial transactions;
- Profiteering as a result of insider knowledge of District information or activities;
- Unauthorized disclosure of confidential or proprietary information to outside parties;
- Unauthorized disclosure of investment activities engaged in or contemplated by the District;

- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the District;
- Destroying, removing or inappropriately using records, furniture, fixtures or equipment;
- Failing to provide financial records required by state or local entities;
- Failure to disclose conflicts of interest as required by policy; or
- Any other dishonest act regarding the finances of the District.

## **Conflict of Interest**

### *Policy DBD*

Employees are required to disclose to their supervisor 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
- Nonschool employment

## **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.

An employee shall not recommend or endorse any product, material, or service used by the District:

- In which the employee has a financial interest; and/or
- That is sold by a company that employs the employee during nonschool hours.

Further, an employee shall not require parents or individuals to purchase any product or service from a company that employs the employee or in which the employee has a financial interest.

Employees shall not use their positions with the District to attempt to sell products or services. Employees shall not act as spokespersons for products used by the District nor shall they recommend or endorse products used or purchased by the District.

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.

## **Associations and Political Activities**

### *Policy DGA*

The District will not directly or indirectly discourage or encourage 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.

## **Dress and Grooming**

### *Policy DH*

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

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

Employees with questions or concerns relating to safety programs and issues can contact Employee Benefits, Risk Management and Safety Department at 554-8660.

## Tobacco Use

*Policies DH, GKA, FNCD*

State law prohibits smoking or using tobacco products on all District-owned property and at school-related or school-sanctioned activities, on or off campus. 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 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.

## Criminal History Checks for Employees and Volunteers

*Policies DBAA, GKG*

Employees are 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 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. In accordance with Texas Education Code §22.083, the District may obtain criminal history record information that relates to a person the District intends to employ or a person who has indicated in writing, an intention to serve as a volunteer with the District, as well as a person currently employed or serving as a volunteer.

### Applicants for District Employment

All applicants for employment must complete the online application. The Human Resources Department will obtain the criminal history information from the current criminal background check system which includes information from law enforcement or criminal justice agencies, including but not limited to, the Texas Department of Public Safety Clearinghouse.

### Current District Employees

1. At least once annually, the Human Resources Department will obtain criminal history record information that relates to all persons employed by the SAISD. The following guidelines are applicable to current employee criminal history checks: SAISD will obtain information regarding crimes prior to September 1, 1989, but will not use any information unless the information demonstrates: (1) the employee failed to disclose any conviction, probation, or deferred adjudication; (2) committed a crime involving moral turpitude; or (3) committed violence toward

- a person or injury to or indecency with a child.
2. An employee who did not disclose a prior criminal history when requested at the time of employment may be recommended for termination.
  3. An employee who did not have a criminal history at the time of employment application and was involved in an incident that resulted in a criminal history after they had already been employed by the SAISD will be reviewed on a "case-by-case" basis and disciplinary action up to and including termination may result.
  4. District employees must notify the Associate Superintendent for Human Resources in writing within three days if they are charged with, arrested, convicted of, granted deferred adjudication after a plea of guilty, not guilty, or *nolo contendere*, or if they have entered a plea of *nolo contendere* to any felony or misdemeanor involving moral turpitude or any felony. **Failure to make such a notification will constitute grounds for termination.** An "Employee Change in Criminal History Report" form is located in the Appendix or is available on the District web site.
    - A District employee placed on court-ordered supervision, including deferred adjudication and probation may be recommended for termination based upon the underlying facts that led to the employee being placed on court-ordered supervision. For the purposes of a termination hearing, the facts to which the employee pleaded in order to placed on court-ordered supervision will be presumed to exist and be correct.
    - The District may suspend or terminate any employee convicted of a felony or misdemeanor if the crime directly relates to their fitness for duty, their job duties and responsibilities or adversely affects their job effectiveness or the mission of the school district.
    - District employees under felony indictment may be reassigned, placed on administrative leave, with or without pay, or be recommended for suspension with or without pay pending adjudication of their case.

*NOTE: After notification of a proposed suspension without pay or employment termination, a contract employee may request a hearing in accordance with DFD (Legal) Termination of Contract: Hearings Before Hearing Examiner.*

5. In compliance with Texas Education Code §22.083 (c), the San Antonio ISD must report to the State Board of Educator Certification (SBEC) any known criminal record of employees who hold certification.

Criminal history record information obtained by the District may not be released or disclosed to any person, other than the individual who is the subject of the information, TEA, or SBEC. *Gov't Code 411.097(d)*

## **Employee Arrests and Convictions**

### *Policy DH*

An employee must notify the Associate Superintendent of Human Resources in writing within three business 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 of school property or at a school-sponsored activity; or
- Crimes involving moral turpitude.

Moral turpitude includes, but is not limited to, the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to rouse 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
- Felony driving while intoxicated (DWI)
- Acts constituting abuse or neglect under the Texas Family Code

## **Possession of Firearms and Weapons**

### *Policies FNCG, GKA*

Employees, visitors, and students are prohibited from bringing firearms, illegal knives, or any other district-classified prohibited weapons onto school premises, 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 supervisors or call the SAISD Police Department immediately at 271-31

## **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 be processed and cleared through the main office. Once approved, 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.

Visits to individual classrooms during instructional times shall only be permitted with the principal's approval, and such visits will not be permitted if the duration or frequency of the visits interferes with the delivery of instruction or disrupts the normal school environment. Students who wish to have a person visit during the lunch period must obtain in advance a visitors permit from the principal's office. The visitor must receive clearance from the main office prior to entering the cafeteria. The visitor must remain with the student, who will be responsible for his or her presence.

## **Copyrighted Materials**

### *Policy CY*

Employees are expected to comply with the provisions of copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (e.g., 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. No rented film that includes the notice "for home use only" may be shown to a class for entertainment purposes. Only commercial films that have been pre-approved and reviewed by the principal shall be shown during class time. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

## **Technology Resources**

### *Policy CQ*

The District's technology resources, including its network access to the Internet, are exclusively for administrative and instructional purposes. Electronic mail transmissions and other use of technology resources are not confidential and can be monitored at any time to ensure appropriate use. Employees who are authorized to use the systems are required to abide by the provisions of the District's acceptable use policy and administrative procedures. Failure to do so can result in suspension of access or termination of

privileges and may lead to disciplinary action up to and including termination of employment. Employees with questions about computer use and data management can contact the Technology and Management Information Systems at 244-2900.

Electronic media includes all forms of social media, including but not limited to text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

### **Personal Use**

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees and even if it is not during employment hours or on district property or equipment. 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 or if their actions call into question their judgment or make the community or district question their fitness for duty or their effectiveness in the classroom, 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 and may be subjected to disciplinary action, following due process, 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. Each case shall be investigated on an individual basis. 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 not use the district's logo or other copyrighted material of the district without express, written consent nor may they reference the district or campus or district

employees, parents or students by name or photograph.

- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, 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

Only a student's current teacher, coach, or campus administrator may communicate with students via electronic media without written consent. Any other employee designated in writing by the Superintendent or the campus principal may use electronic media to communicate with students who are currently enrolled in the district. These employees must comply with the provisions outlined below. All other employees are prohibited from using electronic media to communicate with students who are enrolled in the district.

An employee is not subject to these provisions to the extent the employee has a family/social relationship with the student's parents or guardians and the parents or guardians have provided written consent to the principal allowing the use of electronic media communication between their student and the employee.

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

- *Electronic media* includes but is not limited to all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). *Electronic media* also includes all forms of telecommunication equipment including but not limited to landlines, cell phones, and Web-based applications.
- *Communicate* means to convey information and includes 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 that the employee does not respond to 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 but is not limited to 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 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).  
Note: An employee may request an exception from the above limitation by submitting a written request to his or her immediate supervisor.
- 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 Code of Ethics and Standard Practices for Texas Educators, including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
  - Copyright law [Policy CY]
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DF]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information

regarding the method(s) of electronic media the employee uses to communicate with any 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.

## **Cell Phones**

In order to optimize instructional time and educational opportunities in the classroom, we require that employee cell phones be turned off or put on silent mode during instruction. Employees may utilize cell phones during non-instructional times such as before school, after school, during lunch, or breaks. In the case of an emergency situation, employees may request permission from the principal to use cell phones during instructional time.

## **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 by the Associate Superintendent for Construction Management and

## **Pest Control Treatment**

*Policies CLB, DI*

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

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

# General Procedures



## Bad Weather Closing

*Policy CKC (LOCAL)*

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. District employees will be contacted by the Parent/Employee Notification System (PENS) based on your contact information in the District system to include email and phone. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on Face book and the district's Web site and notify the following radio and television stations:

### TV Stations

226-4444	WOAI Channel 4	224-9898
366-5001-	KENS Channel 5	366-2716
351-1200	KSAT Channel 12	351-1310
366-1129	KABB Channel 29	442-6333
227-4141	KWEX Channel 41	226-0131
340-8862	KVDA Channel 60	341-2051

### Radio Stations

736-9731	WOAI AM 200/KAJA FM 97.3	736-9748
654-5255	KTSA AM 550/KTFM FM 102.7	599-5539
821-6548	KCOR/KXTN/KROM (1350.AM) Radio	804-7825
615-5400	KCYY (Y100)/KKYX/KONO Radio	615-5300
226-5254	KEDA AM 1540	227-7937
646-0105	KSMG (Magic 105)	646-9711
736-9700	MIX 96.1	736-9778

## **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 Purchasing Department on an official District purchase order (PO) form with the appropriate authorization. No purchases, charges, or commitments to buy goods or services for the District can be made without a PO number. The District will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the District's business office. Contact the Director of Purchasing and Textbooks at 224-2781 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 Human Resource Department if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. Forms to process a change in personal information can be obtained from the Human Resources office.

## **Personnel Records**

*Policy 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 upon request:

- Address;
- Phone number;
- Information that reveals whether they have family members.

**Note: The Human Resources Department never discloses social security numbers**

The choice to deny public access to this information may be made at anytime by submitting a written request to Toni Thompson, Associate Superintendent, Human Resources, 554-8400. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public.

## **Building Use**

*Policy GKD*

The Facilities Services Department is responsible for scheduling the rental use of facilities during after school hours. Administrative procedure (G1) contains information and forms to request the use of a facility. Contact Facilities Services at 271-3322, to request information regarding use of school facilities and to obtain information on the fees charged.

# Separation from Employment

## (Resignation, Termination & Retirement)



### 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 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the Human Resources Department. A prepaid certified or registered letter of resignation will be considered submitted upon mailing. Contract employees may only resign at other times with the approval of the Superintendent, Human Resources Department, or the board of trustees. Resignation without the consent of the Board 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 State Board for Educator Certification*.

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

### Dismissal or Non-Renewal of

#### Contract Employees

*Policies DFAA, DFAB, DFBA, DFBB, DFCA, DFD, DFF*

Employees on probationary, term, and continuing contracts may be dismissed during the school year according to the procedures outlined in District policies. Employees on probationary contracts may be terminated at the end of the contract term in the best interest of the district, and employees on term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, nonrenewed, 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 time lines and procedures to be followed when a

suspension, termination, or non-renewal occurs will be provided when a written notice is given to an employee. Information on the time lines and procedures can be found in the DF policies that are provided to employees or are available online.

### Dismissal of Non-Contract Employees

*Policy DCD*

Non-contract employees are employed at-will and may be dismissed without notice, without a description of the reasons for dismissal, or without 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. Non-contract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the District process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 22.)

### Exit Surveys and Procedures

*Policies DC and CY*

Exit surveys will be conducted electronically for employees leaving the District. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided by the principal, supervisor or appropriate District department. Separating employees are asked to provide the District with a forwarding address and phone number and complete the survey that provides the District with feedback on his or her employment experience.

All District keys, books, property, including intellectual property and equipment must be returned upon separation from employment.

### Reports to the State Board for Educator Certification

*Policy DF*

The dismissal or resignation of a certified employee will be reported to the SBEC if there is reasonable evidence that the employee's conduct involves the following:

- A reported criminal history;
- Any form of sexual or physical abuse of a minor or any other illegal conduct with a student or a minor;
- Soliciting or engaging in sexual conduct or a romantic relationship with a student or minor;
- The possession, transfer, sale, or distribution of a controlled substance;
- The illegal transfer, appropriation, or expenditure of school property or funds;
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position; or
- Committing a crime on school property or at a school-sponsored event;
- Violating assessment instrument security procedures.

- Employee's last known address
- Name and address of the employee's new employer, if known

### **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



# Student Issues

## Equal Educational Opportunities

*Policy FB, FFH*

The San Antonio ISD does not discriminate on the basis of race, color, religion, national origin, gender, 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 Sylvia Rendon, the Executive Director of Student Support, 406 Barrera St., San Antonio, TX 78210, (210) 223-1506. Questions or concerns about discrimination on the basis of a disability should be directed to Leticia Carrasco, the district ADA/Section 504 coordinator, 406 Barrera St., San Antonio, TX 78210, (210) 354-3983. All other questions or concerns relating to discrimination based on any 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 are the only people who have general access to a student's records:

- Parents married, separated or divorced of a minor or of a student who is a dependent for tax purposes unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights;
- The student (if 18 or older or attending an institute of postsecondary education or emancipated by a court); and
- School officials with legitimate education 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 teachers or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved 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. Once all administrative complaint procedures are exhausted, parents and students may bring complaints to the Board of Trustees.

## Administering Medication to Students

*Policy FFAC*

Only designated employees can administer medication, nonprescription medication, and herbal or dietary supplements to students. A student who must take 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

*Policy DH*

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; or,
- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student.

## Student Conduct and Discipline

### Policies in the FN series and FO series

Students are expected to follow the classroom rules, campus rules, and rules listed in the *Student Code of Conduct* included in the **Parent/Student Handbook**. **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.

Teachers must refer a student to the appropriate administrator when they have knowledge that a student has violated the *Student Code of Conduct*. (*Administrative Procedure Form F11-B*)

## Bullying

### Policy FFI

The District prohibits bullying as defined by policy. All employees are required to report student complaints of bullying to their campus administrator or supervisor. The district's policy includes definition and procedures for reporting and investigating bullying of students and is reprinted below:

Bullying occurs when a student or group of students engages in written or verbal expression or physical conduct that:

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

Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, and ostracism.

Any student who believes 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. A report may be made orally or in writing.

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

## 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.

## Student Attendance

### Policy FEB

Teachers and staff should be familiar with the district's policy and procedures for attendance accounting. These procedures require 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 states the reason for the absence. These requirements are addressed in campus training and in the **Parent / Student Handbook**. Contact the campus principal for additional information.



**SAN ANTONIO INDEPENDENT SCHOOL DISTRICT  
DEPARTMENT OF HUMAN RESOURCES**

**ACKNOWLEDGEMENT OF RECEIPT  
OF EMPLOYEE HANDBOOK**

I hereby acknowledge receipt of a copy of the San Antonio Independent School District Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

The information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or eliminate the information summarized in this handbook. 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 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 Department of Human Resources if I have questions or concerns or need further explanation.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**EMPLOYEE AGREEMENT FOR ACCEPTABLE USE OF THE  
DISTRICT'S ELECTRONIC COMMUNICATIONS SYSTEM**

I understand that my computer use is not private and that the District will monitor my activity on the computer system.

I have read the District's electronic communication system policy and administrative procedures included in the employee handbook and agree to abide by their provisions. In consideration for the privilege of using the District's electronic communications system and in consideration for having access to the public networks, I hereby release the District, its operators, and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use of, or inability to use the system, including without limitation, the type of damages identified in the District's policy and administrative regulations.

**\*Please check one:**

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Employee Signature

- Professional
- Paraprofessional
- Classified

\_\_\_\_\_  
Date

**NOTE: This handbook includes two copies of this form. Please sign and date both copies. Remove this copy and return it to the Human Resources Department.**

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**SAN ANTONIO INDEPENDENT SCHOOL DISTRICT  
DEPARTMENT OF HUMAN RESOURCES**

**ACKNOWLEDGEMENT OF RECEIPT  
OF EMPLOYEE HANDBOOK**

I hereby acknowledge receipt of a copy of the San Antonio Independent School District Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

The information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or eliminate the information summarized in this handbook. 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 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 Department of Human Resources if I have questions or concerns or need further explanation.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

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DISTRICT’S ELECTRONIC COMMUNICATIONS SYSTEM**

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\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date



**SAN ANTONIO INDEPENDENT SCHOOL DISTRICT**

**Notification by Employee of Change in Criminal History Report**

Employees are required by policy to notify the Human Resources Department in writing within three business days if they are arrested, charged with, convicted of, or granted probation or deferred adjudication after a plea of guilty, not guilty or *nolo contendere*, or if they have enter a plea of *nolo contendere* to any misdemeanor involving moral turpitude or any felony. Failure to properly notify the Human Resources Department shall constitute grounds for termination.

Employee Name: \_\_\_\_\_  
*Last First MI*

Job Title: \_\_\_\_\_

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

Current Phone #: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Type of Offense: \_\_\_\_\_

Date of Offense: \_\_\_\_\_

Location of Offense (*Address, City, County, State*):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Description of Offense:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Pending Status or Adjudication:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I am reporting the above situation as required by SAISD policy (DC LOCAL). Please call me if there are any questions. My signature below also denotes my understanding that I am required by policy to inform the District when this matter is finally adjudicated and that failure to do so is grounds for immediate termination.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

*Forward the completed form to the Associate Superintendent for Human Resources.*