

**Wells ISD**

**2021–2022 Employee Handbook**



*If you have difficulty accessing the information in this document because of a disability, please email Kristel Hise at [khise@wells.esc7.net](mailto:khise@wells.esc7.net)*

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# Employee Handbook Receipt

Name \_\_\_\_\_

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

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

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

The electronic format can be found on the district website, [www.wells.esc7.net](http://www.wells.esc7.net). Click “Administration” and then “Forms and Handbook” to access.

Please indicate your choice by checking the appropriate box below:

- ☐ I choose to receive the employee handbook in electronic format and accept responsibility for accessing it according to the instructions provided.
- ☐ I choose to receive a hard copy of the employee handbook and understand I am required to contact \_\_\_\_\_ to obtain a hard copy.

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*Please sign and date this receipt and forward it to campus secretary.*

# Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are, have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to Kristel Hise at [khise@wells.esc7.net](mailto:khise@wells.esc7.net)

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed online at [www.wells.esc7.net](http://www.wells.esc7.net)

## District Information

### Mission Statement, Goals, and Objectives

#### **Vision Statement:**

Striving to be better today than yesterday, and even greater tomorrow.

#### **Mission:**

The mission of Wells ISD is to ensure that all individuals have success and safe learning opportunities that help them reach their full potential throughout their lives.

## Board of Trustees

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

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

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

Current board members include:

- Wendell Smith
- Kelly Collins
- Danny Colbert
- Kathy Harris
- Steven Monday
- Phillip Jones
- Scott Munsell

Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and Superintendent's Office at least 72 hours before the scheduled meeting

*Wells ISD Employee Handbook 21-22 updated 7/15/2021*

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time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a one-hour notice.

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

## **Administration & Clerical**

Superintendent	Jill Gaston
School Principal	Kristel Hise
Assistant Principal	Rhonda Redd
Athletic Director	Chad Collins
Counselor	Kathy Ford
Technology Director	Slade Johnson
Curriculum/Federal Program Director	Friday Wright
Business Manager	Jana O'Quinn
PEIMS Coordinator	April Holbrook
District Nurse	Tina Glover
Secondary Secretary	Ashley Meaux
Primary and Elementary Secretary	Candus Dement
District Receptionist	Taylor McAnally

## School Calendar

# WELLS ISD CALENDAR 2021-2022

August 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December 2021						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

COLOR KEY	
	NEW EMPLOYEE ORIENT.
	STAFF WORK DAYS
	FLEXIBLE STAFF DEVELOPMENT
	SCHOOL HOLIDAYS
	STAFF DEVELOPMENT DAYS
	COMP DAYS
	FLEXIBLE RECOVERY DAYS
	SPRING BREAK
	STATE TESTING WINDOWS
	12:00 RELEASE (HALF DAY)

### Reporting Periods:

First: 31

Second: 28

Third: 24

Fourth: 29

Fifth: 28

Six: 27

Total Student Days Present: 167

### Student Minutes:

163@460 = 74980

4@255 = 1020

5@420 = 2100

Total = 78100

Required = 75600

Difference = 2500

Banked Days = 5

### Teacher Contract Days:

Staff Development: 5

Work Days: 11

Comp Days: 3

School Days: 167

Total: 186

### Holidays (For reference, DOES NOT MEAN SCHOOL IS OUT)

Labor Day	Sep 6, 2021
Columbus Day	Oct 11, 2021
Veterans' Day	Nov 11, 2021
Thanksgiving Day	Nov 25, 2021
Christmas	Dec 25, 2021
Martin Luther King	Jan 17, 2022
Presidents Day	Feb 21, 2022
Good Friday	Apr 15, 2022
Easter	Apr 17, 2022
Memorial Day	May 30, 2022

January 2022						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February 2022						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March 2022						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2022						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2022						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2022						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

# Employment

## Equal Employment Opportunity

*Policies DAA, DIA*

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

Employees with questions or concerns relating to discrimination for any of the reasons listed above should contact their campus administrator.

## Job Vacancy Announcements

*Policy DC*

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

## Employment after Retirement

*Policy DC*

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

## Contract and Noncontract Employment

*Policy DC series*

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

The paragraphs that follow provide a general description of the employment arrangements used by the district.

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

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

**Term Contracts.** Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be accessed online or copies will be provided upon request.

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

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

## **Certification and Licenses**

### *Policies DBA, DF*

Professional employees whose positions require SBEC certification or a professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to their campus administrator in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify the superintendent when there is action against, or revocation of, their license.

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

Contact the Superintendent's Office if you have any questions regarding certification or licensure requirements.

## **Recertification of Employment Authorization**

### *Policy DC*

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

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

## Searches and Alcohol and Drug Testing

*Policy CQ, DHE*

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

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact their campus principal.

## Health Safety Training

*Policies DBA, DMA*

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to Chad Collins or Tina Glover.

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

## Reassignments and Transfers

*Policy DK*

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent or designee determines that the assignment or reassignment is in the best interest of the

district. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes.

Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by June 1<sup>st</sup>. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the administration office and must be approved by the receiving supervisor.

## **Workload and Work Schedules**

*Policies DEAB, DK, DL*

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

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

**Paraprofessional and Auxiliary Employees.** Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See Overtime Compensation on page 17 for additional information.

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

*Policies DEAB, DG*

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

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

## **Notification to Parents Regarding Qualifications *Policies DK, DBA***

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

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

## **Outside Employment and Tutoring**

### *Policy DBD*

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

## **Performance Evaluation**

### *Policy DN series*

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually.

Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

## **Employee Involvement**

### *Policies BQA, BQB*

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

Plans and detailed information about the shared decision making process are available in each campus office.



## **Staff Development**

### *Policy DMA*

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

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

## **Compensation and Benefits**

### **Salaries, Wages, and Stipends**

#### *Policies DEA, DEAA, DEAB*

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 17.)

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

Employees should contact Jana O'Quinn for more information about the district's pay schedules or their own pay.

### **Paychecks**

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

Paychecks will be available the last working Friday of each month.

### **Automatic Payroll Deposit**

Employees can have their paychecks electronically deposited into a designated account. A notification period of two weeks is necessary to activate this service. Contact Jana O'Quinn for more information about the automatic payroll deposit service.



## **Payroll Deductions**

### *Policy CFEA*

The district is required to make the following automatic payroll deductions: · Teacher Retirement System of Texas (TRS) or Social Security employee contributions · Federal income tax required for all full-time employees

- Medicare tax (applicable only to employees hired after March 31, 1986) · Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

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

## **Overtime Compensation**

### *Policies DEAB, DEC*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. A

nonexempt employee who works overtime without prior approval will be subject to disciplinary action

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 7:15 and ends at 3:55.

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

Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) at time and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- An employee may be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

## **Travel Expense Reimbursement**

### *Policy DEE*

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

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

### *Policy CRD*

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

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

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

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

## **Supplemental Insurance Benefits**

### *Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs. Premiums for these programs can be paid by payroll deduction. Employees should contact Jana O'Quinn for more information.

## **Cafeteria Plan Benefits (Section 125)**

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

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

## **Workers' Compensation Insurance**

### *Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage effective September 1<sup>st</sup>.

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 campus administration.

Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, page 19 for information on use of paid leave for such absences.

## **Unemployment Compensation Insurance**

### *Policy CRF*

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

## **Teacher Retirement**

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

Employees who plan to retire under TRS should notify campus administration as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800- 223-8778 or 512-542-6400. TRS information is also available on the web ([www.trs.texas.gov](http://www.trs.texas.gov)). See page 20 for information on restrictions of employment of retirees in Texas public schools.

## **Other Benefit Programs**

Children of non-resident full-time employees may attend district school's tuition free. District employees shall be admitted free to school sponsored events.

## **Leaves and Absences**

### *Policies DEC, DECA, DECB*

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call Superintendent's Office for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

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

- State Leave
- Local Leave

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

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

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

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

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

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

**Continuation of Health Insurance.** Employees, on an approved leave of absence other than family and medical leave, may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee's unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

## Personal Leave

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

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

**Discretionary.** Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his

or her principal or supervisor 10 days in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

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

## State Sick Leave

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

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

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

## Local Leave

In addition to state leave, each professional and paraprofessional employee shall be granted five days of cumulative local personal leave per year. Cumulative leave is up to ten days. The substitute pay shall be deducted from employee's pay for local personal leave taken.

### If I Need to Be Absent

In order to be approved for any absence from duty or extended leave, an employee shall complete and receive approval of the Absence from Duty Application or for an emergency absence, contact the designated person (campus secretary) or the employee's supervisor. Failure to complete the above or to justify the failure to do so before an absence shall result in the absence being not approved. Absence or leave not approved shall not be compensated. *Application for leave should be made as soon as the employee is aware of a potential need to leave, especially if the leave is discretionary.*

### Different Kinds of Leave

Unless an employee requests a different order, available paid state and local leave shall be used in the following order, as applicable: local leave, state sick leave accumulated before 1995- 1996 school year, state personal leave. State personal leave shall be identified as non-discretionary (following rules for pre 1995 sick leave) or discretionary leave. In considering a request for discretionary leave, the administrator shall not ask or consider the reason for the leave. The administrator shall consider the effect of the absence on the educational program, District operations, or the availability of substitutes. Discretionary leave shall not exceed three consecutive workdays. **Discretionary leave shall not be allowed on the day before or after a holiday, days scheduled for end of semester, end of year exams, or state mandated assessments, or professional or staff development days.**

### Accumulating Leave

State leave shall be recorded in half-day increments. State personal leave for the current year shall be available for use at the beginning of the school year with each employee earning up to the maximum of

five work days annually. WISD employees must have worked the number of days requested in the current school year or have accumulated leave equal to the number of days requested. Five local leave days shall be earned at a rate of 1 day per completed grading period (generally 6-week basis) and shall be taken with a substitute's daily rate of pay deducted (\$60.00 per professional and professional at will: \$30.00 for at will and hourly). Local leave can only be used as a full day of leave time. Local leave shall be made available as earned and accumulate to a maximum of ten days in any calendar year. However, employees may only transfer 5 unused local days from one school year to the next. An easier explanation: you will never begin a school year with more than 5 LOCAL days; however, you could end a school year with up to 10 LOCAL days.

### **Accumulating State Leave**

Wells ISD will reimburse employees for up to 20 unused state leave days @ their current daily rate upon retirement from WISD as long as the following requirement is met  
3 or more consecutive years of employment with WISD

### **Deducting Local Days and Docked Days from Payroll**

In an effort for employees to get the maximum benefit of using their local/state days the business office will use the following schedule to deduct any used local days or "docked" days from an employee's check

June: 1-5 days

July: 1-5 days

August: Any additional days

### **Medical Certification**

An employee shall submit medical certification of the need for leave if: (1) absent more than 5 consecutive workdays for personal or immediate family illness, (2) District requests it due to a questionable pattern of absences, (3) the employee requests FMLA leave.

### **Court Appearances**

Absences from compliance with a subpoena or for jury duty shall be compensated by the District. If your jury duty is cancelled and you do not return to work, you will be charged for half day state or a full day of local depending on what the employee has available.

## **Family and Medical Leave Act (FMLA)—General Provisions**

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

### **Leave Entitlements**

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

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

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

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

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

### **Benefits and Protections**

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

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

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

### **Eligibility Requirements**

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

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

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

### **Leave**

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

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

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

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

### **Employer Responsibilities**

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

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

### **Enforcement**

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

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

For additional information:

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

## **Local Family and Medical Leave Provisions**

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period beginning on the first duty day of the school year.

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

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

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

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

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

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

**Failure to Return.** If, at the expiration of FML, the employee is able to return to work but chooses not to do so, the district may require the employee to reimburse the district's share of insurance premiums paid



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

**District Contact.** Employees that require FML or have questions should contact the Superintendent's Office for details on eligibility, requirements, and limitations.

## Temporary Disability Leave

**Certified Employees.** Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability. Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

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

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

## Workers' Compensation Benefits

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

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

## Assault Leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An incident involving an assault is a work-related injury and should be immediately reported to campus administration.

An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person not responsible for purposes of criminal liability.

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

## **Bereavement Leave**

### **Jury Duty**

*Policies DEC, DG*

The district provides paid leave to employees who are summoned to jury duty including service on a grand jury. The district will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the district a copy of the summons to document the need for leave.

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

## **Compliance with a Subpoena**

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

### **Truancy Court Appearances**

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

## Religious Observance

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

## Military Leave

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

**Reemployment after Military Leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact Superintendent's Office. In most cases, the length of federal military service cannot exceed five years.

**Continuation of Health Insurance.** Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact Jana O'Quinn for details on eligibility, requirements, and limitations.

# Employee Relations and Communications

## Employee Recognition and Appreciation

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

## District Communications

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

# Complaints and Grievances

## *Policy DGBA*

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

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

## **Policy can be found online:**

[https://pol.tasb.org/Policy/Download/287?filename=DGBA\(LOCAL\).html&title=PERSONNEL MANAGEMENT%20RELATIONS&subtitle=EMPLOYEE%20COMPLAINTS/GRIEVANCES](https://pol.tasb.org/Policy/Download/287?filename=DGBA(LOCAL).html&title=PERSONNEL%20MANAGEMENT%20RELATIONS&subtitle=EMPLOYEE%20COMPLAINTS/GRIEVANCES)

# Employee Conduct and Welfare

## Standards of Conduct

### *Policy DH*

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent knew of the incident. See *Reports to the Texas Education Agency*, page 58 for additional information.

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

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

#### **Purpose and Scope**

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

#### **Enforceable Standards**

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

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

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

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

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

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

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

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

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

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

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

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

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

**Standard 1.13** The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

##### **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 or minor.

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

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

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

(I) the nature, purpose, timing, and amount of the communication;

(ii) the subject matter of the communication;

(iii) whether the communication was made openly or the educator attempted to conceal the communication;

(iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;

(v) whether the communication was sexually explicit; and

(vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

# Discrimination, Harassment, and Retaliation

*Policies DH, DIA*

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

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

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

**Policy found online:**

[https://pol.tasb.org/Policy/Download/287?filename=DIA\(LOCAL\).html&title=EMPLOYEE%20WELFARE&subtitle=FREEDOM%20FROM%20DISCRIMINATION,%20HARASSMENT,%20AND%20RETALIATION](https://pol.tasb.org/Policy/Download/287?filename=DIA(LOCAL).html&title=EMPLOYEE%20WELFARE&subtitle=FREEDOM%20FROM%20DISCRIMINATION,%20HARASSMENT,%20AND%20RETALIATION)

## Harassment of Students

*Policies DH, DHB, FFG, FFH, FFI*

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, page 37 and *Bullying*, page 62 for additional information.

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

**Definition of solicitation of a romantic relationship:**

[https://pol.tasb.org/Policy/Download/287?filename=DHB\(LEGAL\).html&title=EMPLOYEE%20STANDARDS%20OF%20CONDUCT&subtitle=REPORTS%20TO%20STATE%20BOARD%20FOR%20EDUCATOR%20CERTIFICATION](https://pol.tasb.org/Policy/Download/287?filename=DHB(LEGAL).html&title=EMPLOYEE%20STANDARDS%20OF%20CONDUCT&subtitle=REPORTS%20TO%20STATE%20BOARD%20FOR%20EDUCATOR%20CERTIFICATION)

## Reporting Suspected Child Abuse

*Policies DG, GRA*

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §261.001, to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

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

Reports to Child Protective Services can be made online at <https://www.txabusehotline.org/Login/Default.aspx> or to the Texas Abuse Hotline (800-252- 5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

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

An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics. Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency.

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

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

The district has established a plan for addressing sexual abuse and other maltreatment of children. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect.

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect following the procedures described above in *Reporting Suspected Child Abuse*.

## **Reporting Crime**

### *Policy DG*

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



## Scope and Sequence

### *Policy DG*

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

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

## Technology Resources

### *Policy CQ*

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

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

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

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact campus administration or the district technology director.

## Personal Use of Electronic Communications

### *Policy CQ, DH*

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

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic communications as they are for any other public conduct. If an employee's use of electronic communications interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

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

These restrictions include:

- o Confidentiality of student records. [See Policy FL]
- o Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See DH (EXHIBIT)]
- o Confidentiality of district records, including educator evaluations and private email addresses. [See Policy GBA]
- o Copyright law [See Policy CY]
- o Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See DH (EXHIBIT)]

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

## **Electronic Communications between Employees, Students, and Parents**

### *Policy DH*

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

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

- The employee has provided the parent with a copy of this protocol
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from district regulation; and

- The parent is solely responsible for monitoring electronic communications between the employee and the student.

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

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes email, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*; however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.

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

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
  - o The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.
- The employee shall not communicate directly with any student between the hours of 10:00 p.m. and 6:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics including:
  - o 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]
  - o Copyright law [Policy CY]
  - o Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.

- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district's record retention policy.
- An employee shall notify his or supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

## **Public Information on Private Devices**

### *Policy DH*

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

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

## **Criminal History Background Checks**

### *Policy DBAA*

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

## **Employee Arrests and Convictions**

### *Policy DH*

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

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

Moral turpitude includes the following:

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

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

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

### *Policy DH*

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

### DH (LOCAL)

[https://pol.tasb.org/Policy/Download/287?filename=DH\(LOCAL\).html&title=EMPLOYEE%20STANDARDS%20OF%20CONDUCT&subtitle=](https://pol.tasb.org/Policy/Download/287?filename=DH(LOCAL).html&title=EMPLOYEE%20STANDARDS%20OF%20CONDUCT&subtitle=)  
[https://pol.tasb.org/Policy/Download/287?filename=DI\(LEGAL\).html&title=EMPLOYEE%20WELFARE&subtitle=](https://pol.tasb.org/Policy/Download/287?filename=DI(LEGAL).html&title=EMPLOYEE%20WELFARE&subtitle=)

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

### *Policies DH, FNCD, GKA*

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

## **Fraud and Financial Impropriety**

### *Policy CAA*

All employees should act with integrity and diligence in duties involving the district's financial resources.

The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

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

## **Conflict of Interest**

### *Policy CB, DBD*

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

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

Employees should contact their supervisor for additional information.

## **Gifts and Favors**

### *Policy DBD*

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

## **Copyrighted Materials**

### *Policy CY*

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

## **Associations and Political Activities**

### *Policy DGA*

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

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

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

## Charitable Contributions

### *Policy DG*

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

## Safety

### *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. See Emergencies on page 51 for additional information.

To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve district equipment, employees must comply with the following requirements:

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

While driving on district business, employees are required to abide by all state and local traffic laws.

Employees driving on district business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion. Employees will exercise care and sound judgment on whether to use hands-free technology while the vehicle is in motion.

Employees with questions or concerns relating to safety programs and issues can contact campus administration.

## Possession of Firearms and Weapons

### *Policies DH, FNCG, GKA*

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided the handgun or firearm or ammunition is properly stored, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or call law enforcement immediately.

## **Visitors in the Workplace**

### *Policy GKC*

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

## **Asbestos Management Plan**

### *Policy CKA*

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

## **Pest Control Treatment**

### *Policies CLB, DI*

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

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

## **Electronic Surveillance**

### **General Statement:**

Wells ISD is committed to maintaining the health, welfare and safety of students, employees and visitors while on school district property. The behavior of individuals who come on to school property is a significant factor in maintaining order and discipline and protecting students, employees, visitors, and school district property. The school district recognizes the value of video/electronic surveillance systems in monitoring activity on school property in providing these functions.

### **Placement of Video/Electronic Surveillance:**

- A. School district buildings, busses, and grounds may be equipped with video cameras and/or electronic surveillance devices.
- B. Video/electronic surveillance may occur in any school district building or on any school district property.

### **Reviewing of Video/Electronic Surveillance:**

Committing a crime on school property or at a school-sponsored event.



**General Video/Electronic Surveillance Procedures:**

1. Video/electronic surveillance will be reviewed by school district personnel on a random basis and/or when problems have been brought to the attention of the school district.
2. Video/electronic surveillance will be released only in conformance with the Laws of Texas, the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g and the rules and/or regulations promulgated thereunder.

## General Procedures

### Emergency School Closing

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

KICKS (105.5 FM) or <http://kicks105.com/listen-live>

KYKS 105.1

KTRE (Television) or <http://ktre.com>

KLTV (Television) or <http://KLTV.com>

### Emergencies

*Policies CKC, CKD*

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

### Purchasing Procedures

*Policy CH*

All requests for purchases must be submitted to the business department on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact the campus secretaries for additional information on purchasing procedures.

### Purchase Requisition and Order Forms

The following are the step by step purchasing procedures for Wells ISD. The procedures contain guidance related to the competitive procurement requirements in federal regulation (2CFR200-EDGAR), state law/rules and local board policy. This is the only procurement process allowed under state law and WISD policies. All funds and/or purchasing for school or school related activities must flow through either Wells ISD (Institution) or Wells ISD Activity accounts.

### **Institutional Purchases:**

1. Receive, complete and return a purchasing requisition form from/to the principal's office. All information including total costs (remember to include shipping and handling) should be on the requisition.
2. After principal approval, the requisition is forwarded to the Superintendent.
3. When the Superintendent approves the purchase, a WISD Purchase Order / PO Number is assigned. *Any order placed without a Purchase Order will be paid by the individual who placed the order.*
4. The funds are now obligated. No changes in the amount can be made to this PO. The PO must be voided and another requisition request made for changes
5. The PO will either be returned to you for purchase or you will be notified that the request was denied.
6. **Requisitions must be made at least two weeks before items are needed.**
7. The white copy goes to the vendor. The yellow copy stays in the Business Office. The pink copy is kept by the purchaser until the order comes. Then packing slip, invoice, and pink PO are to be returned to the Business Office.
8. It is not permissible to keep funds for incidental purchases that cannot be audited. *In addition to possible criminal charges, this misuse of public funds carries the penalty immediate termination of contract.*
9. Equipment or fixed assets must be added to inventory upon receipt. Get orange label from campus secretary. Place label on the item. Record label number, item description, serial number, etc. and source funds on your room inventory.
10. Special purchasing procedures are necessary for certain vendors i.e.: Wal-Mart & Hobby Lobby. In addition to steps 1-9 above, these vendors required an institutional card(s) in order to purchase. If this is the case for the vendor in question, you will be notified to check out a card from the Business Office before making the purchase. The card, receipts and PO copies are to be returned upon return to school.

### **Activity Account Funds Purchases:**

1. Receive, complete and return a purple purchasing requisition form from the principal's office. All information including total costs (remember to include shipping) should be on the requisition. Indicate the name of the group or activity on the requisition form.
2. After principal approval, the requisition is forwarded to the Superintendent.
3. A WISD Activity Account PO number is assigned. *Any order placed without a Purchase Order will be paid by the individual who placed the order.*
4. The funds are now obligated. No changes in the amount can be made to this PO. The PO must be voided and another requisition request made for changes
5. The PO will either be returned to you for purchase or you will be notified that the request was denied.
6. **Requisitions must be made at least two weeks before items are needed.**
7. Activity Account purchases also require an "Activity Fund-Request to Pay: form prior to payment. The Superintendent's Secretary will request your signature before distributing a check. This signifies that all steps in the purchasing process have been completed.
8. Activity Fund money should be deposited with the Superintendent's Secretary on the day of receipt or on the next school day if collected outside of school hours. The Activity Fund Deposit form and daily collection report must be used.
9. It is not permissible to keep funds for incidental purchases that cannot be audited. *In addition to possible criminal charges, this misuse of public funds carries the penalty immediate termination of contract.*
10. Special purchasing procedures are necessary for certain vendors i.e.: Wal-Mart & Hobby Lobby. In addition to steps 1-9 above, these vendors required an institutional card(s) in order to purchase.

If this is the case for the vendor in question, you will be notified to check out a card from the Business Office before making the purchase. The card, receipts and PO copies are to be returned upon return to school.

11. Generating activity funds shall not in any way compete with the district food service activities. Activity funds generation shall be a passive activity and shall not detract from the district's overall primary educational purpose. The generation and expenditure of campus activity funds shall be held to the same standard and scrutiny as that of appropriated funds. Activity funds shall be audited and must adhere to accepted business practices.

According to Board Policy CH (Local), employees who violate the district purchasing procedures shall be held personal liable for the debt incurred. Purchases for goods or services from state or federal grant funds shall comply with the TEA Guidelines for Related Costs (located under Grant Management Resources on the TEA website). Specifically, all non-allowable expenditures shall not be funded from state or federal grant funds.

## **Name and Address Changes**

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

## **Personnel Records**

*Policy DBA, GBA*

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

Employees may choose to have the following personal information withheld: · Address

- Phone number, including personal cell phone number
- Emergency contact information
- Information that reveals whether they have family members

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

## **Facility Use**

*Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. Jana O'Quinn is responsible for scheduling the use of facilities after school hours. Contact Jana O'Quinn to request to use school facilities and to obtain information on the fees charged.

## **Administrative Control of AC Usage**

The administrative control of building AC usage will be left to the district superintendent and technology director. If a change in air control is needed on a campus outside of the normal school day, contact the campus principal. The campus principal will then be responsible for processing the request with the above mentioned persons.

## **Lesson Plans**

All teachers are required to complete lesson plans each week of the school year using the most current Wells ISD online template. Lesson plans are due by the first day of the week. In addition, each principal may request hard copies of lesson plans. Lesson plans should include use of technology in each daily plan.

Teachers must have a (blue) folder containing emergency lesson plans that, at a minimum, will cover two days of instruction. Emergency lesson plan folders should be kept updated at all times. Lessons need to be replaced after each absence requiring substitutes to cover teachers if the old lessons were used.

## **Homework**

Acceptable uses of homework and related parameters:

1. Independent Practice – The lesson must have been taught completely in the classroom. The independent practice was begun at school and is sent home for completion. It is a practice of what was already done at school.
2. Independent Projects – for older students, projects can be important extensions of the school program. However, all students must have a reasonable opportunity to be successful and to have adequate supervision.

## **Grading**

- All work assigned is to be graded.
- Graded work that will be used to calculate Progress Reports and Report Cards shall be recorded in Skyward within 24 hours of having been graded. Student work shall be graded within 24 hours after received by the teacher.

A comprehensive exam shall be administered at the end of each semester and the grade recorded. The exam shall include the material covered during that particular semester. Each campus shall determine the minimum and maximum number of grades that should be taken in each subject each six weeks.

Grades must be entered weekly into the online grading system. Grades should be entered as daily grades or test grades. The comprehensive exam grade will be entered under the name of CE. Grade weights and minimum number of grades take per six weeks will be determined by the campus principal.

For any student receiving a report card grade lower than a 50, the teacher may record a 50 on the student's report card, if in the professional judgement of the teacher, based on the student's attendance, effort, and any extenuating circumstances, such grade is justified. For any student receiving a report grade lower than a 50, the teacher shall develop a reasonable and written plan for success for the student, to include makeup and redo assignments, which, if successfully completed by the student, may result in the student passing the course.

A grade issued by a classroom teacher is final and may not be changed unless the grade is arbitrary, erroneous, or not consistent with school district grading policy, as determined by the board of trustees.

## Progress Reports

Following the third week of each grading period, progress reports must be completed and posted in Skyward by 3:30 pm on Monday (for grade levels K-6<sup>th</sup>) and by 8:00 am on Tuesday (for grade levels 7<sup>th</sup>-12<sup>th</sup>). Progress Reports will be sent home Thursday afternoon.

## Report Cards

Grade levels K-12, All grades for report cards must be completed and posted in Skyward no later than 3:00 pm on Tuesday following the end of each six-week grading period. Head Start: Report cards will be posted to a permanent folder before being sent home.

Report cards for all grade levels will be sent home on the Thursday that follows the end of the six-week grading period.

## Teacher Schedule

Staff members should report to school in the morning and to cEpilass during the day on or before the scheduled time. If an employee must leave campus for any reason, he/she should sign out at the appropriate campus office and then sign in again upon return. The regular workday for all teachers and staff will be from 7:30 am until 3:55 pm. If a teacher or staff member is assigned morning duty, the duty post should be assumed by 7:30 am. Punctuality of teachers and staff is vitally important to the safety of all students and employees of WISD.

Faculty meetings will be called as the need arises and will be held immediately after the busses run. Every effort will be made to give adequate prior notice of all faculty and staff meetings.

# Termination of Employment

## Resignations

### *Policy DFE*

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

The principal is required to notify the superintendent of an educator's resignation within seven business days following an alleged incident of misconduct for any of the acts listed in *Reports to Texas Education Agency* on page 58. The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in of the same act.

**Noncontract Employees.** Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to campus administration at least two weeks prior to the effective date.

Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

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

## **Dismissal or Nonrenewal of Contract Employees *Policies DF Series***

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

## **Dismissal of Noncontract Employees**

### *Policies DCD, DP*

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

The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page [32](#).)

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

## **Discharge of Convicted Employees**

### *Policy DF*

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

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

## Exit Interviews and Procedures

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time.

Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. All district keys, books, property, including intellectual property, and equipment must be returned upon separation from employment.

## Reports to Texas Education Agency

*Policies DF, DHB, DHC*

**Certified Employees.** The resignation or termination of a certified employee must be reported to the Division of Investigations at TEA if there is evidence that the employee was involved in any of the following:

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

The reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee or an applicant for certification has a reported criminal history or engaged in conduct violating the assessment security procedures established under TEC §39.0301. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

**Noncertified Employees.** The voluntary or involuntary separation of a noncertified employee from the District must be reported to the Division of Investigations at TEA by the superintendent if there is evidence the employee abused or otherwise committed an unlawful act with a student or minor, was involved in a romantic relationship with a student or minor, or solicited or engaged in sexual contact with a student or minor.

## Reports Concerning Court-Ordered Withholding

The district is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance. Notice of the following must be sent to the support recipient and the court or, in the case of child support, the Texas Attorney General Child Support Division:

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

# Student Issues

## Equal Educational Opportunities

*Policies FB, FFH*

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

Questions or concerns about discrimination of students based on any of the reasons listed above should be directed to campus administration.

## Student Records

*Policy FL*

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

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

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

## Parent and Student Complaints

*Policy FNG*

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

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



## **Administering Medication to Students**

### *Policy FFAC*

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

## **Dietary Supplements**

### *Policies DH, FFAC*

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

## **Psychotropic Drugs**

### *Policy FFAC*

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

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

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

## **Student Conduct and Discipline**

### *Policies in the FN series and FO series*

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

## **Student Attendance**

### *Policy FEB*

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, the student upon returning to school, must submit documentation on the reason

for absence and inquire about missing assignments. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

## **Bullying**

### *Policy FFI*

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

[https://pol.tasb.org/Policy/Download/287?filename=FFI\(LOCAL\).html&title=STUDENT%20WELFARE&subtitle=FREEDOM%20FROM%20BULLYING](https://pol.tasb.org/Policy/Download/287?filename=FFI(LOCAL).html&title=STUDENT%20WELFARE&subtitle=FREEDOM%20FROM%20BULLYING)

## **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.

# Appendix A

## Wells Independent School District Computer Acceptable Use Policy

Internet access is available to students, teachers, administrators, and parents in the Wells Independent School District.

We are pleased to bring this access to Wells ISD and believe that Internet offers vast, diverse, and unique resources to students, teachers, administrators, parents, and the community. Our goal in providing this service is to promote educational excellence in our school by facilitating resource sharing, innovation, and communication.

I understand the above statements and do hereby agree to abide by the rules and regulations set forth by the Wells Independent School District regarding Internet usage.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix B SAFETY POLICY STATEMENT WELLS INDEPENDENT SCHOOL DISTRICT

Wells Independent School District is committed to providing a safe and healthful work environment for all employees, students and others that may work, visit or enter our facilities.

We recognize that the success of a safety and health program is contingent and dependent upon support from not only the executive level of Administration but also from involvement of all employees of the district.

The Superintendent of this school district is committed to allocating and providing all the resources needed to promote and effectively implement the Accident Prevention Plan.

The school district will establish avenues to solicit and receive comments, information and assistance from employees about safety and health.

Employee recommendations to improve safety and health conditions will be given thorough consideration by our management team. Management will give top priority to and provide the financial resources for, the correction of unsafe conditions or equipment. Similarly, management will take disciplinary action against an employee who willfully or repeatedly violates workplace safety rules. This action may include disciplinary action up to and including termination of employment.

It is the policy of this school district that employees report unsafe conditions and do not perform job tasks if the work is considered unsafe. Employees must report all accidents, injuries and unsafe conditions to their supervisors immediately. No such report will result in retaliation, penalty or other disincentives. This policy statement serves to express Management's commitment to, and involvement in, providing our employees a safe and healthful work environment. This safety program will be incorporated as the standard

of practice for this school district. Compliance with the safety rules will be required of all employees as a condition of employment.

Administration and staff will set an example of commitment to safety and health at this school district. The school district will comply with all federal, state and local safety and health regulations. This policy applies to all employees and persons affected or associated in any way by the scope of this school district.

## **Appendix C**

### **GENERAL SAFETY RULES**

#### **INTRODUCTION/OVERVIEW**

On the job accident prevention is the responsibility of all the district's employees. It is the further responsibility of each employee to correct or report any unsafe condition or practice that he or she may observe.

Each supervisor is responsible for prevention of accidents to employees working under his/her supervision. It is the supervisor's responsibility to train these employees to enable them to work safely and efficiently.

#### **GENERAL SAFETY RULES**

The following are some important general safety rules that each employee is required to follow, regardless of work assignments:

1. Lifting improperly is a major factor of the tremendous number of claims for back injuries. The following procedures must be followed:
  - a. Stand properly when lifting. Bend your knees and bring your body up with the load
  - b. Keep the load close to your body and keep your back straight
  - c. Get help for heavy loads
  - d. Pay attention when lifting. Lift properly and stay within your limitations
2. Horseplay or practical jokes will not be tolerated
3. Good housekeeping is an aid to safety. All employees shall keep tools, equipment and work areas clean and orderly.
4. Gasoline will not be used as a washing or cleaning fluid. When cleaning solvent is required, use an approved cleaning solvent.
5. Material will be stored in a safe and orderly fashion. Flammable liquids should be stored in an approved Flammable Storage Cabinet.
6. Any employee, while on duty or on district property, who possesses, sells or receives any illegal drug or who is under the influence of drugs or alcohol, will be discharged and in appropriate situations, referred to law enforcement authorities.
7. Smoking will not be allowed at any facility, except in designated areas. 8. Clean up slipping hazards immediately.
1. 9. Use caution when opening doors, which serve two-way pedestrian traffic. 10. Use a stepladder or a step stool for high reaching.
12. While in district vehicle, where provided by the manufacturer, seat belts are required to be worn at all times.
13. Obtain operating instructions for all equipment before attempting to operate any machinery with which you are not familiar, read operating instructions carefully.
14. After use put all tools/or equipment back in their proper place.

15. Disconnect all electrical cords by grasping the plug and carefully disengaging, never yank by the cord.
16. Use handrails when using the stairways.
17. Material Safety Data Sheets must be available, at the point of use, to any person who request this information.
18. Only qualified and designated employees should work on electrical wiring and equipment.
19. Each employee should know the location of the fire extinguishers in their work area. Employees should not fight fires that are beyond their fire training and limitations of the available firefighting equipment. When in doubt, call professional help and evacuate to a safe area.
20. USE COMMON SENSE AT ALL TIMES IF YOU ARE UNSURE OR IN DOUBT ABOUT SOMETHING! ASK YOUR SUPERVISOR!

# **Appendix D**

## **Wells Independent School District**

### **An Educational Program for the Gifted and Talented**

#### **Kindergarten – 12<sup>th</sup> Grade**

##### Preface

Wells Independent School District is committed to providing the curriculum to meet the needs of the gifted student. This document presents the official policies, processes and procedures for organizing, operating and evaluating the Gifted and Talented Program at Wells ISD. The appendices contain the instruments and forms that will be used to implement and maintain the program components.

##### Definition of Gifted and Talented Students

“Gifted and talented student” means a child or youth who performs at or shows the potential for performing at a remarkably high level of accomplishment when compared to others of the same age, experience or environment and who exhibit high performance capability in an intellectual, creative or artistic area, possesses an unusual capacity for leadership, or excels in a specific academic field. (Education code 29.121)

##### Philosophy/Rationale

The philosophy of Wells Independent School District reflects an understanding of the uniqueness of individual students. Because the learning characteristics of gifted and talented students dictate learning experiences that differentiate from those provided for them in the regular school program, the district recognizes that special provisions must be made for these students in order to stimulate and maximize their achievement.

Wells Independent School District recognizes that gifted and talented students are found in all cultures, socioeconomic groups, geographic locales and environments. Wells ISD will serve the needs of those students who demonstrate above average achievement through multiple and specific criteria.

##### Goals

The Wells Independent School District will provide the opportunity for gifted and talented students to:

- Increase creative thinking and problem solving skills
- Develop skills in logical reasoning and critical thinking
- Extend skills in research/independent study
- Provide an array of challenging learning opportunities
- Provide an opportunity to accelerate in the areas of strength

### Program Objectives

The Wells Independent School District will:

- Assure all students equal opportunities to be screened, identified and served in the Gifted and Talented program
- Utilize a differentiated program that will meet the diversified needs of the identified students
- Provide curriculum and instruction that meets the needs of gifted and talented students by modifying the depth, complexity and pacing of the general school program
- Develop the skills for initiating, planning and conducting independent research
- Provide opportunity for academically talented students to associate with and share with peers of similar intellectual abilities
- Encourage community and family participation in services designed for gifted and talented students

### Program Description

The Wells Independent School District Gifted and Talented Program is designed for students who are identified as gifted and talented according to Wells ISD's identification procedure.

Emphasis will be placed on providing a learning environment and activities that foster the development of higher order thinking skills, creative thinking skills, problem solving skills and communication skills. Students will be exposed to experiences and information that are outside the bounds of the regular curriculum and will be encouraged to develop advanced level products and performances. In addition, each student will be assisted in the development of a healthy self-concept and relationship with peers. Students in grades 1-6 will be served in a pull out program with a teacher who has thirty hours of gifted education and six hours annually. In Kindergarten and grades 7-12, the students will be served in the regular classroom with the curriculum differentiation within the classroom. Also, high school students will be served together in AP/Pre AP classes.

This district shall provide an array of learning opportunities for gifted and talented students in Kindergarten through grade 12 and shall inform parents of the opportunities. Options shall include:

1. Challenging learning experiences that emphasize content from the four (4) core academic areas
2. Instructional and organizational patterns that enable identified students to work together as a group, to work with other students and to work independently. (Chapter 89.3.1)
3. A continuum of learning experiences that leads to the development of advanced-level products and performances. (Chapter 89.3.2)
4. Opportunities to accelerate in areas of strength. (Chapter 89.3.4)

### Identification

Identification and selection for the gifted and talented program will be determined through a process of three steps:

1. Nomination
2. Screening
3. Selection

Nominations will be obtained by one of the following:

1. Completion of the referral form by parents, guardian, grandparent, peer, district personnel, self or other community member.
2. Kindergarten students will be nominated at the beginning of the second semester.
3. Nominations of students in other grades will be accepted at any time during the school year.

The principal, counselor and/or teaching staff will be responsible for disseminating and collecting the nomination forms. A list and dates of nominations will be maintained and considered by the screening committee.

Screening will be conducted on each student nominated for the gifted and talented program. Written parental consent shall be obtained before any special testing of individual assessment is conducted as part

of the screening and identification process. Criteria used in the screening process will consist of, but not limited to, a variety of the following:

- Aptitude Test
- Achievement Test
- Teacher Inventory
- Parent Inventory
- Student Product
- Student Portfolio
- Student Interview

Elementary and secondary students will be screened in the spring. Kindergarten students will be screened and served by March 1. A student that has been screened and does not qualify will be eligible for reassessment in one calendar year.

A selection committee, composed of at least three professional educators who have received training in the nature and needs of gifted learners, shall evaluate each nominated student and shall select those students for whom gifted program placement is the most appropriate educational setting.

Data collected through both quantitative and qualitative assessments shall be included in a matrix/profile and measured according to the established criteria to determine eligibility for the program. Student anonymity shall be maintained during the selection process. Parents and students shall be notified in writing upon selection of the student for the gifted program. Participation in any program or service provided for gifted students is voluntary.

#### Furloughs

Students who are unable to maintain satisfactory performance within the structure of the gifted and talented program may be placed on furlough by the selection committee. The purpose of such a furlough is to provide the student an opportunity to attain performance goals established by the selection committee. At the end of the furlough, the student's progress shall be reassessed and the student may reenter the gifted program, be removed from the program or be placed on another furlough. A furlough period is less than two years. A student who is out of the gifted and talented program for a period of more than two years must go through the formal identification process according to district procedures.

#### Reassessment

Reassessment of students in the gifted and talented program consists of evaluation of the student's performance in the program. If performance is not satisfactory, a selection committee meeting shall be called to determine if the student should continue in the program. Once a student qualifies for the program, he or she remains in the program unless a furlough is recommended or the student exits the program.

#### Exiting

Student performance in the gifted and talented program shall be monitored. A student shall be removed from the program at any time the selection committee determines it is in the student's best interest. If student or parent request removal from the program, the selection committee shall meet with the parent and/or student before honoring the request. A conference shall be held with the student and the parent as soon as the selection committee perceives a problem that could necessitate exit from the program. The data and results of the conference should be recorded and placed in the student's file. If the student does not meet conditions agreed upon in the conference, exit will be recommended. Students exiting by self or parent request may reenter the gifted and talented program only by completing the formal identification process according to district procedures.

A student may exit the gifted and talented program by a formal meeting of the selection committee.

Approval for exiting the gifted and talented program may be based on one or more of the following data:

· Teacher recommendation to the selection committee based on observations of performance or products

- Counsel recommendation to the selection committee based on interviews, observations or developmental data on file
- Parental request for withdrawal from the gifted and talented program · Student request, with parental permission, for withdrawal from the gifted and talented program
- Evidence of personal or social stress which prevents self-satisfying student performance

#### Transfer Students

When a student identified as gifted by a previous school district transfers into the district, the student's records shall be reviewed by the selection committee to determine if placement in the district's program for gifted and talented student is appropriate. The committee shall make its determination within 30 days of the student's enrollment date.

#### Appeals

Parents may appeal any final decision of the selection committee regarding selection for or removal from the gifted and talented program. The appeal, in written form, shall be made first to the selection committee. Any subsequent appeals shall be made in accordance with Wells ISD Policy FNG (Local) beginning at Level Two.

#### Parent and Community Involvement

Wells Independent School District believes that education of the academically talented requires a strong partnership between parents, community and teachers and seeks to promote the active involvement and support of parents and community through the following measures:

- Parent and community involvement will be encouraged through newsletter and meetings concerning activities or projects
- Information concerning the G/T program will be published in the local newspaper and posted on the district's web page
- Identification procedures will be printed in the student handbook · Parents and community members will participate in the identification process by nominating prospective students for the G/T program · Parents will be given the opportunity to complete a program evaluation survey each year

#### Program Evaluation

The gifted and talented program shall be evaluated annually, and evaluation information shall be shared with board members, administrators, teachers, students, counselors, parents and community members. Formative and summative evaluations will be used to evaluate the gifted and talented program. Focus will be on improvement of the program and the overall effectiveness of the program.

#### Professional Development

Staff members who work with students in the gifted and talented program will be encouraged to attend professional conferences and workshops for the purpose of improving competencies in instructional strategies and program development. Wells ISD shall ensure that:

- Teachers who provide instruction and services that are part of the program for gifted and talented students have a minimum of 30 hours' staff development that includes nature and needs of gifted students, identification and assessment of gifted students and curriculum and instruction for gifted students
- Teachers who provide instruction and services that are part of the program for gifted and talented students receive a minimum of six hours annually of professional development in gifted education.

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- Administrators and counselors who have authority for program decisions have a minimum of six hours of professional development that includes nature and needs of gifted/talented students and program options.



### Curriculum

The curriculum for gifted and talented students consists of the content to be learned and the processes that make learning possible. Curriculum for the academically talented must be differentiated from that in the regular classroom and congruent with the characteristics of gifted children. The curriculum will be based on the following guidelines:

- Texas Essential Knowledge and Skills (TEKS)
- Individual needs, abilities and interests
- Activities that emphasize the development of thinking skills rather than mere accumulation of knowledge
- Development of oral and written communication skills
- Development of higher order thinking skills
- Divergent and creative thinking skills
- Active involvement of the learner
- Development of independent and self-directed learning skills · Development of problem solving skills, including investigation and exploration of real problems
- Development of a healthy self-concept and relationship with peers

The district shall provide an array of learning opportunities for gifted and talented students and shall inform parents of the opportunities. They shall include:

- Challenging learning experiences that emphasize content from four (4) core academic areas
- Instructional and organizational patterns that enable identified students to work together as a group, to work with the other students, and to work independently
- A continuum of learning experiences that leads to the development of advanced-level products and performances
- Opportunities to accelerate in areas of strength

## Appendix E

### WISD Extra Duty Pay Scale

1. After School Detention: \$25 per hour after 3:30 p.m.
2. I.S.S.: \$25 per hour after 3:30 p.m.
3. Saturday School: \$25 per hour: \$40 flat rate for no shows (minimum 1-hour wait)
4. UIL Academic Coach: \$25 per hour after 3:30 p.m. No minimal hours required: Employee does not have to attend district meet.
5. Basketball game duties (book or scoreboard): \$10 per game JH or HS
6. Field Trips Hourly rate employees: \$25 per hour when driving a WISD assigned field trip OUTSIDE of scheduled work time. Wait time will be compensated at the greater of the employee's daily rate or \$8.50 per hour. Overtime rules apply.
7. Field Trips Salaried employees: When driving a field trip that the employee is not otherwise being compensated for, salaried employees will be compensated at \$25 per hour whether driving or waiting. i.e. Basketball coach is not paid for driving basketball team but would be compensated for driving senior class trip.

**## Attention Class/Organization Sponsors: For non-academic field trips payment for drive time and wait time will be charged to your specific activity fund. ##**

**\*\*Extra duty pay associated with working a basketball play-off game hosted by WISD will be compensated at the rate indicated by the WISD Facilities Rental Contract. \*\***

# Appendix F

## **WISD Teacher Growth and Support System (Appraisal) The WISD TGSS will consist of the following:**

1. Teacher Orientation, Explanation of Support System process
2. Goal Setting and Professional Development Plan (Within 6 weeks of orientation) *The Self Reports are located on our district DMAC website: <https://apps.dmac-solutions.net/user/>*
3. Goal Setting and Professional Development Plan Reviews
4. Informal/Formal Observation Window
  - a. Observation post conference at request of teacher or appraiser
  - b. Observation post conference/written report within 20 days
5. 2<sup>nd</sup> Appraiser Request – Within 10 days of receiving:
  - a. Written observation report (Domains 1-3)
  - b. Written summary report (Domain 4)
  - c. Submit request to campus administration
6. Goal/Professional Development Plan Evidence – Domain 4 evidence
7. End-of-Year Conference & Summary Appraisal (15 days before last day of instruction)
  - a. Written summary report within 10 days of conference
  - b. Summary Appraisal Report signatures
8. Option to Waive: Request to “waive formal appraisal” must be submitted in writing to campus principal.
9. Any teacher who was evaluated the previous year and is on a Term Contract for the next school year may request a waiver.
  - Teachers on Probationary Contract or T.I.N.A.– Annually until Term Contract or until completion of T.I.N.A.
  - Teachers on Term Contract – Every other year
  - Teachers with 10+ years of experience with WISD – Every 3 years

No Formal Observations will be conducted on the dates before or after holidays

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