

La Porte Independent School District

2023-2024

Employee Handbook

Revised July 2023



If you have difficulty accessing the information in this document because of a disability, please email Adam Holland (holland@lpsid.org)

The La Porte Independent School District does not discriminate on the basis of age, race, religion, color, 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; Section 504 of the Rehabilitation Act of 1973, as amended; and Title II of the Americans with Disabilities Act. The Title IX Coordinator is Angela Garza-Viator, Executive Director of Human Resources, 1002 San Jacinto, La Porte, Texas 77571, Telephone (281) 604-7110, Email viatora@lpsid.org. The Section 504 Coordinator is Billye Trader, Special Programs Administrator 1002 San Jacinto, La Porte, Texas 77571, Telephone (281) 604-7034, Email traderb@lpsid.org.

El Distrito Independiente Escolar de La Porte no discrimina sobre la base de raza, religión, color, origen nacional, sexo u incapacidad para proveer servicios educacionales, actividades y programas, incluyendo programas vocacionales, de acuerdo con el Título VI del Acta de Derechos Civiles de 1964, como fue enmendada; Título IX de las Enmiendas Educativas de 1972; Sección 504 del Acta de Rehabilitación de 1973, como fue enmendada; y el Título II del Acta de Americanos con Incapacidades. La Coordinadora del Título IX es Angela Garza-Viator, Directora Ejecutiva para Recursos Humanos, 1002 San Jacinto, La Porte, Texas 77571, Teléfono (281) 604-7110, correo electrónico viatora@lpsid.org. La Coordinadora de la Sección 504 es Billye Trader, Administradora de Programas Especiales, 1002 San Jacinto, La Porte, Texas 77571, Teléfono



(281) 604-7034, correo electrónico traderb@lpsd.org.

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Employee Handbook Receipt – 2023-2024

My signature below indicates that I acknowledge and agree that it is my responsibility to read the La Porte Independent School District Employee Handbook and abide by the standards, district policies and procedures defined or referenced in that document. I understand that I can access the LPISD Board Policy Manual online as instructed below.

Employees will receive the handbook in electronic format. The Employee Handbook is located on the LPISD website. To find this handbook go to <https://www.lpsid.org/departments/human-resources>.

The Board Policy Manual is also located on the LPISD Internet website. To find this manual go to www.lpsid.org, select *Board of Trustees*, and then *Board Policy Manual* from the drop-down menu.

The information in the Employee Handbook and Board Policy Manual are subject to change. ***Changes incorporated into this year’s Employee Handbook are highlighted.*** I understand that changes in district policies may supersede, modify, or eliminate 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 the Employee Handbook intends no modifications to contractual relationships or alterations of at-will relationships. I understand that I have an obligation to inform my supervisor and update the Employee Information section of the Employee Access Center of any changes to my personal information, such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the LPISD Human Resources Department if I have questions, concerns or need further explanation.

I agree to comply with the District’s policies and procedures including those related to harassment of employees and students and reporting known or suspected student neglect and abuse. If requested to do so, I will cooperate with any District investigation of a possible violation of District policies or procedures by providing complete and truthful information in an oral and/or written statement. I understand that failure to do so may subject me to discipline or termination from employment.

Printed Name

Signature

Date

Building Assignment



Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a safe and 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 Human Resources.

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.lpsd.org.



District Information

Description of the District

La Porte Independent School District occupies 55 square miles in Southeast Harris County. Included in its boundaries are the cities of La Porte, Shoreacres, Morgan's Point and a small section of southeast Deer Park and Pasadena. Established in 1915, La Porte ISD is fortunate to have the support of the La Porte community which has retained that special "hometown" feeling while being able to take advantage of opportunities offered by the nearby metropolitan Houston area.

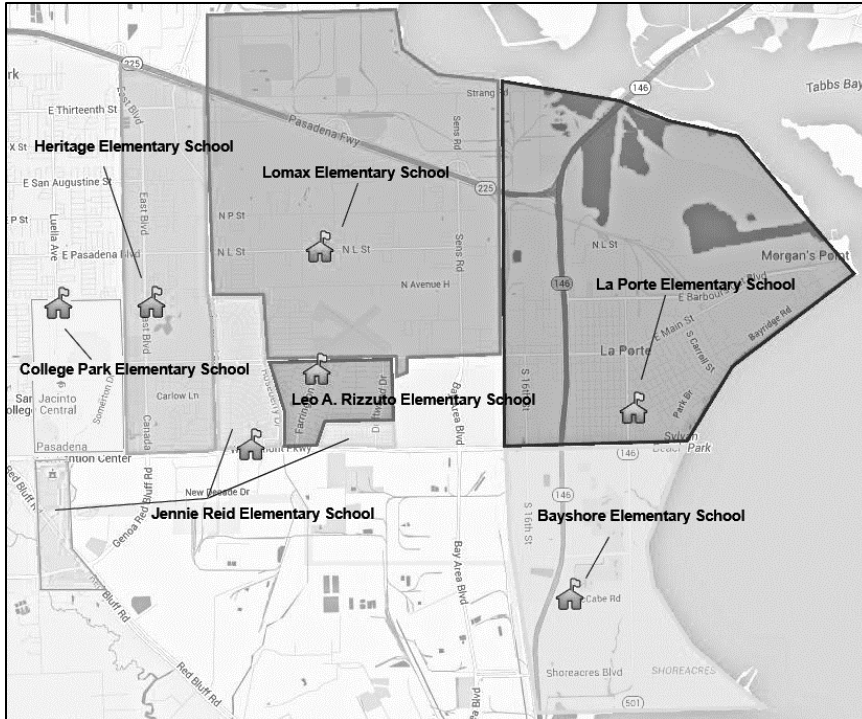
Approximately 7,000 students are provided the opportunity to pursue a quality education. The district provides a variety of educational opportunities for students. Seven elementary schools, one sixth grade campus, two junior high schools (7th and 8th grades), and one comprehensive high school and one high school of choice serve the district in its current needs. La Porte schools are fully accredited by the Texas Education Agency.

La Porte offers a competitive salary for teachers with an appealing low student/teacher ratio per classroom. The community is diverse and offers programs for students from all walks of life.

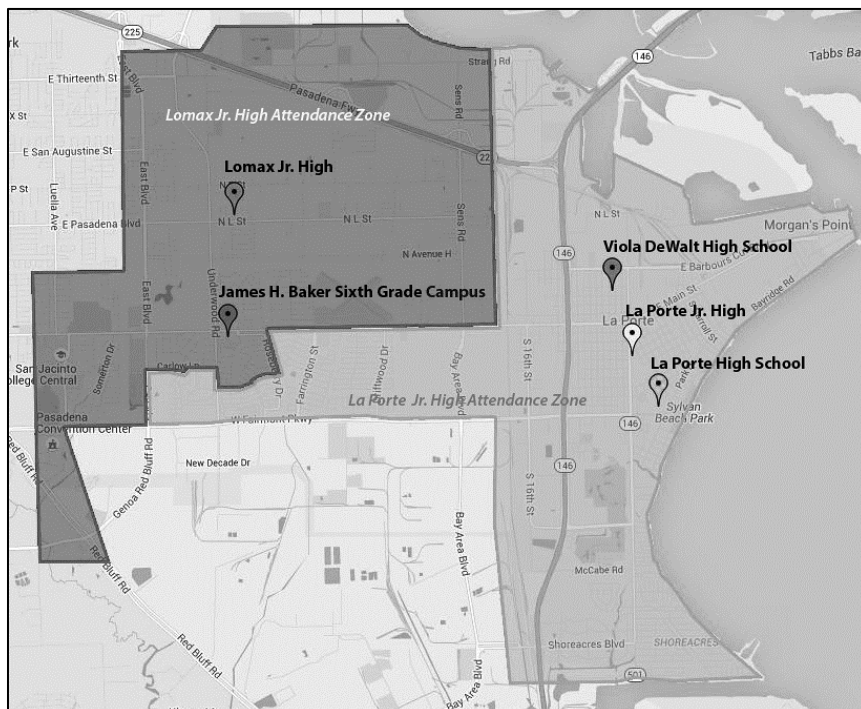


District Maps

Elementary Attendance Zones



Secondary Attendance Zones





Mission Statement and Goals

Policy AE

Every student's success is our No. 1 priority.

La Porte Independent School District 2023-2024 District Goals

Goal 1: Increase student achievement and success for every student through rigorous, broad based academic programs and expanded opportunities.

Goal 2: Provide a safe, secure, and disciplined learning environment.

Goal 3: Attract, develop, and retain excellent staff.

Goal 4: Promote family engagement and active involvement of the community in the education of our students.

Goal 5: Ensure and demonstrate efficient and effective use of district resources.



Board of Trustees

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

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

The board of trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Board members are elected at-large and serve 3-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

Board members shall be elected at large for three-year terms with elections conducted annually, as follows:

The election of two Board members shall be held in 2025, 2028, 2031 and in three-year intervals thereafter.

The election of three Board members shall be held in 2026, 2029, 2032 and in three-year intervals thereafter.

Current board members include:

- Danny Hanks, President
- Russell Schoppe, Vice President
- Jeff Martin, Secretary
- Melissa Crutcher, Trustee
- David Janda, Trustee
- Mason Peres, Trustee
- Dee Anne Thomson, Trustee

Board Meeting Schedule

The board usually meets on the 2nd Tuesday at 7:00 p.m. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and in the front showcase of the administration building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a 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

Superintendent

Deputy Superintendent of Academics

Deputy Superintendent of Administration and Support Services

Chief Financial Officer

Executive Director of School Leadership, Secondary

Executive Director of School Leadership, Elementary

Executive Director, Teaching and Learning

Executive Director, Human Resources

Executive Director, Special Programs

Executive Director, Support Services

Communications/Public Relations/Public Info. Officer

Walter Jackson, Ed.D.

Rebecca Brown, Ed.D.

Dustin Bromley Ed.D.

Stacey McDowell

Paula Jackson

Alicia Upchurch, Ed.D.

Julie Abram

Angela Garza-Viator

Billye Trader

Corey Marlar

Adam Holland



La Porte ISD

2023-2024 Instructional Calendar

July
4 4th of July Holiday

August
3-14 Professional Learning Days
14 Freshman First Day
15 First Day of School

September
4 Labor Day Holiday
5 Instructional Planning (No Students)

October
5 Professional Learning Day (No Students)
Parent Conferences - Elementary
6,9 Student & Staff Holiday

November
20-24 Thanksgiving Break

December
15 Early Dismissal
18-29 Christmas Break

January
1 Christmas Break
2 Instructional Planning Day (No Students)
3 Professional Learning Day (No Students)
15 MLK Jr. Holiday

February
16 Professional Learning Day (No Students)
Parent Conferences - Elementary
19 Presidents Day Holiday

March
11-15 Spring Break
29 Good Friday

April
1 Student & Staff Holiday

May
23 Early Dismissal / Last Day of School
Dewalt Academy Graduation
24 Instructional Planning Day
LPHS Graduation
27 Memorial Day Holiday
28-30 Teacher Exchange Days

Grading Periods
1st Nine Weeks 8/15 - 10/13
2nd Nine Weeks 10/16 - 12/15
3rd Nine Weeks 1/4 - 3/8
4th Nine Weeks 3/18 - 5/23

Instructional Days
Total Number of Student Days: 170

Campus Schedules

High Schools
7:00 a.m. First Bell
7:10 a.m. Tardy Bell
2:35 p.m. School Day Ends
10:30 a.m. Early Dismissal Days

Junior High / James H. Bahr
8:25 a.m. First Bell
8:30 a.m. Tardy Bell
4:00 p.m. School Day Ends
12:10 p.m. Early Dismissal Days

Elementary Schools
7:40 a.m. First Bell
7:50 a.m. Tardy Bell
3:15 p.m. School Day Ends
11:20 a.m. Early Dismissal Days

July 2023	August 2023	September 2023
S M T W TH F S	S M T W TH F S	S M T W TH F S
	1 2 3 4 5	
2 3 4 5 6 7 8	6 7 8 9 10 11 12	3 4 5 6 7 8 9
9 10 11 12 13 14 15	13 14 15 16 17 18 19	10 11 12 13 14 15 16
16 17 18 19 20 21 22	20 21 22 23 24 25 26	17 18 19 20 21 22 23
23 24 25 26 27 28 29	27 28 29 30 31	24 25 26 27 28 29 30
30 31		
October 2023	November 2023	December 2023
S M T W TH F S	S M T W TH F S	S M T W TH F S
1 2 3 4 5 6 7		
8 9 10 11 12 13 14	5 6 7 8 9 10 11	3 4 5 6 7 8 9
15 16 17 18 19 20 21	12 13 14 15 16 17 18	10 11 12 13 14 15 16
22 23 24 25 26 27 28	19 20 21 22 23 24 25	17 18 19 20 21 22 23
29 30 31	26 27 28 29 30	24 25 26 27 28 29 30
		31
January 2024	February 2024	March 2024
S M T W TH F S	S M T W TH F S	S M T W TH F S
1 2 3 4 5 6		
7 8 9 10 11 12 13	4 5 6 7 8 9 10	3 4 5 6 7 8 9
14 15 16 17 18 19 20	11 12 13 14 15 16 17	10 11 12 13 14 15 16
21 22 23 24 25 26 27	18 19 20 21 22 23 24	17 18 19 20 21 22 23
28 29 30 31	25 26 27 28 29	24 25 26 27 28 29 30
		31
April 2024	May 2024	June 2024
S M T W TH F S	S M T W TH F S	S M T W TH F S
1 2 3 4 5 6		
7 8 9 10 11 12 13	5 6 7 8 9 10 11	2 3 4 5 6 7 8
14 15 16 17 18 19 20	12 13 14 15 16 17 18	9 10 11 12 13 14 15
21 22 23 24 25 26 27	19 20 21 22 23 24 25	16 17 18 19 20 21 22
28 29 30	26 27 28 29 30 31	23 24 25 26 27 28 29
		30

Freshman 1st Day	First / Last Day of School	Holiday	Start / Stop Grading Period	Professional Learning (No Students)	Instructional Planning Day (No Students)	Teacher Exchange Days	Student Early Release	Incllement Weather Make-up Day

Every Student's Success is Our #1 Priority



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Revised 7/13/23
Board Approved 1/10/23



Helpful Contacts

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

Superintendent's Office	281-604-7015
Deputy Superintendent, Academics	281-604-7024
Deputy Superintendent, Administration and Support Services	281-604-7072
Chief Financial Officer	281-604-7045
Executive Director of School Leadership, Secondary	281-604-7039
Executive Director of School Leadership, Elementary	281-604-7027
Executive Director, Teaching and Learning	281-604-7060
Executive Director, Special Programs	281-604-7034
Executive Director, Human Resources	281-604-7110
Executive Director, Support Services	281-604-7171
Communications/Public Relations/Public Info Officer	281-604-7007
Director of Finance	281-604-7048
Director, of Accountability	281-604-7033
Director of School Nutrition	281-604-6952
Director of Human Resources	281-604-7107
Director of Athletics and Physical Education	281-604-7672
Director of Parent Assistance and Engagement	281-604-7083
Director of Performing and Visual Arts	281-604-7040
Director of Special Education	281-604-7029
Managing Director, Technology	281-604-7146
Coordinator, Payroll and Benefits	281-604-7052

School Directory

Bayshore Elementary	800 McCabe Road	281-604-4600
College Park Elementary	4315 Luella	281-604-4400
Heritage Elementary	4301 East Boulevard	281-604-2600
Early Childhood Center	4301 East Boulevard	281-604-2620
La Porte Elementary	725 South Broadway	281-604-4700
Lomax Elementary	10615 North Avenue L	281-604-4300
Jennie Reid Elementary	10001 West Fairmont Pkwy	281-604-4500
Leo A. Rizzuto Elementary	3201 Farrington Blvd.	281-604-6500
James H. Baker Sixth Grade Campus	9800 Spencer Hwy.	281-604-6800
La Porte Junior High	401 South Broadway	281-604-6600
Lomax Junior High	9801 North Avenue L	281-604-6700
La Porte High School	301 East Fairmont Pkwy	281-604-7500
Academy of Viola DeWalt High School	401 North 2nd Street	281-604-6900
Secondary DAEP	732 South Broadway Street	281-604-7352



Employment

Equal Employment Opportunity

Policies DAA, DIA

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

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

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Angela Garza-Viator, the district Title IX coordinator at (281) 604-7110 or viatora@lpisd.org, Human Resources, 1002 San Jacinto Street, La Porte, Texas 77571.

Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Billye Trader, the district ADA/Section 504 coordinator at (281) 604-7034 or traderb@lpisd.org, Specials Programs, 1002 San Jacinto Street, La Porte, Texas 77571.

Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on a regular basis on 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 Web Site (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 also may be employed by probationary contract. Probationary contracts are one-year contracts. La Porte ISD's **District of Innovation Plan Proposed TEC 21.102 (b)** exemption provides flexibility so that the superintendent may approve recommendations for a second and/or third year probationary contract for teachers employed by the District, who have been employed in public education for at least five of the eight previous years and have completed their first probationary year with the District, in order to continue to evaluate the staff member's effectiveness.

For those with less experience, the probationary period will be up to 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.

Contracts governed by Chapter 21 of the Education Code (educator contracts) shall be provided to:

1. SBEC-certified employees serving full-time as principals, assistant principals, teachers, counselors, diagnosticians, librarians, athletic director; and
2. Full-time nurses.



Contracts governed by Chapter 21 of the Education Code shall also be provided to persons in the following positions for which the district requires current SBEC certification: certified central office administrators.

Any current District employee hired under a Chapter 21 term contract prior to February 14, 2006, in positions for which neither SBEC nor the district requires current SBEC certification shall remain on a Chapter 21 term contract so long as the employee remains continuously employed in the same position in the District. Any District employee hired under a continuing contract prior to January 1, 1996, shall remain on a continuing contract until the employee relinquishes the contract. [See also DCC]

Policies relating to employment by educator term contract [see DCB and the DFB series] shall not apply to employees on continuing contracts.

Noncertified Professional and Administrative Employees. Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are employed by a contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code.

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

Certification and Licenses

Policies DBA, DF

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

A certified employee's Chapter 21 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, **intern certificate** or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact Human Resources if you have any questions regarding certification or licensure requirements.



Recertification of Employment Authorization

Policy DC

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

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

Searches and Alcohol and Drug Testing

Policy CQ, DHE

No 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. **Disciplinary action up to and including termination may result if an employee refuses to submit to testing or is found to violate district policy.**

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

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

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



Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact the Deputy Superintendent of Administration and Support Services at (281) 604-7021.

Safety-Sensitive Positions

Policies DHE (Local)

In accordance with LPISD Board Policy DHE (Local), an employee in a current position that has been designated to be a “safety-sensitive position” is subject to random drug and alcohol testing. This designation is based on the definition of a safety sensitive position, which can be found in La Porte ISD Policy DHE (Local). Employees will be notified if they hold safety sensitive positions and are subject to random drug and alcohol testing.

Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Director of Athletics and Physical Education by the designated date in August of each school year.

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

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 within the district’s voluntary transfer request timelines. A written request for transfer must be completed on the designated form and signed by the employee and the employee’s supervisor. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resources



office and must be approved by the receiving supervisor.

Workload and Work Schedules

Policies, DEAB, DL, DK

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.**

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.

The Providing Urgent Maternal Protections of Nursing Mothers Act (PUMP Act) requires an employee to notify the district if they believe the district is out of compliance in providing breaks for a nursing mother. The employee must give the district 10 days to come into compliance before making any claim of liability against the district. An employee with concerns should contact The Human Resources Department at (281) 604-7112].

Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (PWFA) provides consideration of accommodations to employees who have known limitations related to pregnancy, childbirth, or related medical conditions. An employee seeking a PWFA accommodation should contact The Human Resources Department at (281) 604-7112 to begin the interactive process.



Notification to Parents Regarding Qualifications

Policy 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 Human Resources at 281-604-7108.

See La Porte ISD's District of Innovation Plan (2022-2027) TEC Code Requiring Exemption §21.003.

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

Performance Evaluation

Policy DN series

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. Each employee shall have at least one evaluative conference annually, except as otherwise provided by policy, to discuss the written evaluation and may have as many conferences about performance of duties as the supervisor deems necessary. 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.

Upon receiving a report, a nursing review committee may review a nurse's nursing services, qualifications, and quality of patient care, as well as the merits of a complaint concerning a nurse,



and a determination or recommendation regarding a complaint. A nurse may request, orally or in writing, a determination by the committee regarding conduct requested of the nurse believed to violate the nurse's duty to a patient.

Employee Involvement

Policies BQA, BQB

At both the campus and district levels, La Porte 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 or from the Executive Directors of School Leadership - Elementary and Secondary.

Staff Development

Policy DMA

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

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



Compensation and Benefits

Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as non-exempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 22.)

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

Employees should contact the Payroll Coordinator at 281-604-7052 for more information about the district's pay schedules or their own pay.

Paychecks

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

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

Employees can view and print their paycheck stubs through the Employee Access Center found on the district's home page at www.lpsid.org and selecting the *Staff* portal.



The schedule of pay dates for the 2023-2024 school year follows:

August 2023	7/31/2023	8/15/2023
September 2023	8/31/2023	9/15/2023
October 2023	9/29/2023	10/13/2023
November 2023	10/31/2023	11/15/2023
December 2023	11/30/2023	12/15/2023
January 2024	12/29/2023	1/12/2024
February 2024	1/31/2024	2/15/2024
March 2024	2/29/2024	3/15/2024
April 2024	3/28/2024	4/15/2024
May 2024	4/30/2024	5/15/2024
June 2024	5/31/2024	6/14/2024
July 2024	6/28/2024	7/15/2024

Automatic Payroll Deposit

Employees will have their paychecks electronically deposited into a designated account. A notification period of one pay period is necessary to activate this service. Contact Payroll at (281) 604-7053 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 in this district 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. Employees also may request payroll deduction for payment of membership dues to



professional organizations and one credit union. Salary deductions are automatically made for unauthorized or unpaid leave.

Overpayments

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

Employee Access Center

Employees may access the Employee Access Center online for information regarding salary, leave balance, and tax information. W-2 and 1095 forms may be accessed and printed directly from the Employee Access Center, which can be found on the district's home page at www.lpsid.org and selecting the *Staff* portal. Employees agree to receive their W-2 Tax Form from La Porte ISD electronically through the Employee Access Center. If the employee prefers a printed copy of their W-2 form, they can e-mail their request to the Payroll department at payroll@lpsid.org.

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 may be subject to disciplinary action up to and including termination.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:00 a.m. Monday and ends at 11:59 p.m. Sunday.

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

- Employees can accumulate up to 60 hours of comp time
- Comp time must be used in the duty year that it is earned
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction
- An employee is required to use comp time before using available paid leave (e.g., sick, personal, vacation)

Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.



Travel Expense Reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor and Business Office 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. Please refer to the Business Office Procedures Manual for additional information.

Health, Dental, and Life Insurance

Policy CRD

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

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

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g. marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact the Business Office at (281) 604-7054 for more information.

Supplemental Insurance Benefits for Retirees

Policy CRD

Life Insurance

All full-time employees who were hired prior to June 1, 1986 and who retire from the District under the provisions of the state retirement system with no less than ten years of consecutive service with the District immediately prior to retirement may continue participation in the District's group life insurance program until age 65 and shall receive the same benefits as an active full-time employee.

The provisions of this policy apply to administrative, professional, and support personnel.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs for Dental, Vision, Dreaded Diseases/Cancer Expense Protection, Long/Short Term Disability Insurance



and/or Term Life Insurance. Premiums for these programs can be paid by payroll deduction. Employees should contact the Business Office at (281) 604-7054 for more information.

Flexible Spending Account (FSA) - Medical

This plan allows for tax savings on most medical, dental, and vision expenses not covered by insurance. Non-covered expenses apply to all dependent family members even if not covered by a particular insurance plan. The employee estimates an annual election based upon the amount of non-covered expenses expected to be incurred. The maximum election amount for 2023 is \$2,750. This amount is deducted in equal amounts from each paycheck, before taxes are calculated, and then set aside for the employee in a special account. A MasterCard debit card will be issued to you to pay for most expenses incurred. Please consult your employee benefits office or a Benefits Advisor, or visit the Reference Center (www.benefitsolver.com) for a list of eligible expenses. REMEMBER: If you don't use it, you lose it! You MUST re-enroll every year.

Flexible Spending Account (FSA) – Dependent Care

This plan allows for tax savings on day care expenses for children under the age of 13 and for dependent adults unable to care for themselves. The employee estimates an annual election for the amount of expenses to be incurred. The annual election amount is deducted in equal parts from each paycheck, before taxes are calculated, and then set aside in a special account for the employee. As expenses are incurred the employee submits a claim and the money is reimbursed to the employee from the employee's account as monies come in from each paycheck. **The IRS does not allow the Dependent Care Account (DCA) to be prefunded.** Where accepted, the debit card may be used for payment for dependent care expenses. Please see the summary plan description located on the enrollment website for more information. Note: Any money not claimed by the employee within ninety days (90) after the end of the plan year is **forfeited**. The maximum annual election amount is \$5,000 per household. If you are married and filing separately, each spouse may elect up to \$2,500. Please consult your employee benefits office or a Benefits Advisor, or visit the Reference Center (www.benefitsolver.com) for a list of eligible expenses. (See FAQ page)

Health Savings Account (HSA)

The Health Savings Account is only available for employees that elect a High Deductible Health Plan (HDHP). This would include TRS AC1-HD. To be eligible for the HSA, you would need to be enrolled in or to elect this medical plan for next year. 2023 HSA Contribution limits: Individual (self-only coverage)-\$3,600; Family coverage-\$7,200. HSA Catch-up contributions (age 55 or older): \$1,000. The HSA is very different from the Flexible Spending Account (FSA), as it is not prefunded, and you can only utilize the account as the monies from your paycheck are received to the HSA. Also, the HSA is NOT a use-it-or-lose-it plan. This is a portable account, and the monies will continue to stay in your account until utilized for qualified expenses. The HSA can be increased, decreased, started or stopped at any time throughout the plan year. These changes can be made by contacting your Benefits Office. Employees who select a general-purpose FSA, or whose spouse has a general purpose FSA, cannot have an HSA also.



Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Claims Administrative Services effective January 1999.

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 are to be immediately reported to the employee's immediate supervisor or designee and the district Human Resources Office at (281) 604-7112. A First Report of Injury form must be complete and signed by the employee (based on seriousness of the injury) and supervisor and submitted before the end of the business day when the injury occurred and/or was reported. Please see the Human Resources Process Guidebook for additional paperwork or reporting required for work-related accidents and injuries.

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 [40](#) 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 Human Resources at (281) 604-7113.

Teacher Retirement

Policy DEG

All personnel employed on a regular basis 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 Human Resources at (281) 604-7110 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 online (www.trs.texas.gov). See page [14](#) for information on restrictions of employment of retirees in Texas public schools.



Other Benefit Programs

Tax Sheltered Annuity

District employees are eligible to participate in the District's 403(b) retirement plan. The 403(b) plan (often called a "tax sheltered annuity" or TSA) is a voluntary plan that allows an employee to defer a portion of their paycheck to a retirement plan. Under federal tax law, an employee does not have to pay income taxes on their contributions or account earnings until they take the money out of the plan. TCG is the District's current third-party administrator and more information can be found on their website www.tcgservices.com.

To enroll in a tax sheltered annuity:

- Go to the TCG Website at www.tcgservices.com or call for support at (800) 943-9179.
- Under **My Account** select **Plan Information**. Type **La Porte** and click on **Go**.
- Select a 403(b) Vendor from the Texas Approved Vendors List on the TCG website.
- Contact the Vendor to obtain help setting up a 403(b) annuity or other investment.
- Decide how much to save out of each paycheck.
- Follow the instructions below to set up a payroll deduction through the TCG website

To set up a payroll deduction:

1. Go to www.tcgservices.com
2. From **My Account**, select **Login**.
3. In the **Group Retirement Plan Login** section, click on **Portal Login**.
4. If you are currently a participant in the 403(b) plan:
 - After logging in to the portal, you should see the **Welcome** dialog box.
 - Enter your Social Security Number (no dashes) as your **Username**, the last four numbers of your Social Security Number for the **Password**, and make sure that **Participant** is selected from the drop-down box.
 - Click on the **Login** button at the bottom of the window.
 - From the **Dashboard** you will be able to access plan option.
5. If you are *not* currently a participant in the 403(b) plan:
 - **Click on "Login"**
 - Click on the **+New User** icon in the upper left of the **Welcome** dialog box
 - In the New User dialog box, type the **Plan Password: lpor403**
 - At the bottom of the **New User** dialog box, click on the **Next** button.
 - Enter Your Social Security Number and click on the **Next** button.
 - Follow online instructions to complete process.
6. If you have any problems, please call TCG Customer Service at (800) 943-9179

To make changes in your payroll deduction or conduct other business when you already have a 403(b) Plan:

- Call TCG at (800) 943-9179
- Check your account online: www.tcgservices.com
 - Login as a current participant (see instructions in #4 above).
 - Follow instructions provided by TCG.



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 Human Resources at (281) 604-7112 for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

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

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

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification. Any unapproved absences or absences beyond accumulated or available paid leave shall result in deduction from the employee's pay.

If an hourly employee does not report or request leave of absence(s) according to district procedures, the incident is considered a "no call/no show". An employee who is absent for **5** consecutive days without notice is considered to have abandoned their job and may face disciplinary consequences up to and including termination.

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

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

The term "immediate family" is defined as 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; and, any person residing in the employee's household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA (LEGAL).



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

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

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

Personal Leave

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

Nondiscretionary. Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary leave may be used in the same manner as state sick leave accumulated before May 30, 1995 (DEC LOCAL).

Discretionary. Leave taken at an employee’s discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a written request to his or her principal or supervisor 3 workdays in advance of the anticipated absence. Discretionary personal leave will be granted on a first-come, first-served basis. 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. Discretionary use of state personal leave shall not exceed five consecutive workdays.

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 rate entitlement for the school year.

State Sick Leave. State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas.

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

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

Local Leave

In addition to state leave, all employees shall earn local personal leave days based on the number of months of service each year. Local personal leave is available for use at the beginning of the year. A day of personal local leave is equivalent to an assigned workday. An employee shall not earn any local leave when he or she is in an unpaid status. Employees in positions requiring 12 months of service shall earn seven local personal leave days. Employees in positions requiring 11 months of service shall earn six local personal leave days. Employees in positions requiring ten months of service shall earn five local personal leave days. Employees hired after the beginning of the school year shall earn a prorated number of local personal leave days. Local personal leave shall accumulate without limit. Payment for accrued personal leave at the time of retirement or resignation is subject to the REIMBURSEMENT FOR LEAVE UPON RETIREMENT provision in this policy (DEC Local).

Request for Leave

A notice of request for discretionary personal leave shall be submitted to the principal, supervisor, or designee three workdays in advance of the anticipated absence. Discretionary personal leave shall be granted on a first-come, first-served basis, with a maximum of five percent of campus/department employees in each category permitted to be absent at the same time for discretionary personal leave. Discretionary leave shall not be allowed on the day before or after a school holiday; days scheduled for end-of semester or end-of-year exams; days scheduled for state-mandated assessments; or professional or staff development days.

Duration of Leave

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



Vacation Leave

Twelve-month employees, who shall be defined for purposes of this policy as full-time employees who work 240 days or more, shall be eligible for vacation each year with pay. Employees shall earn vacation days based on the number of days employed and the years of service with the district. Vacation days shall begin to accrue from the first day of employment.

Twelve-month employees with fewer than ten years of service in the district shall earn vacation days at the rate of 0.834 days of vacation for each month of employment within the period between July 1 and June 30.

Twelve-month employees with more than ten years of consecutive service in the district shall earn vacation days at the rate of 1.25 days of vacation for each month of employment within the period between July 1 and June 30.

Employees may accrue up to a maximum of 35 vacation days. Any vacation days accrued over 35 not taken within the month accrued shall be lost.

Those employed after July 1 of a school year shall earn a prorated share of vacation time based on the above formula. In addition, employees hired for 12-month manual trade positions before September 1, 1991, who currently earn 20 vacation days a year shall continue to earn 20 vacation days a year.

To receive credit for a month in calculating the number of vacation days earned, the staff member must be employed prior to the 15th of the month.

Vacation use shall be subject to approval of the immediate supervisor. Vacation requests for three or more consecutive days shall be turned in to the employee's immediate supervisor a minimum of two weeks in advance. Vacation requests for one or two days shall be turned in to the employee's immediate supervisor a minimum of three days in advance.

Employees shall be encouraged to make vacation plans as far in advance as possible and to turn in vacation requests early. All vacation requests shall be considered on a first-come, first-served basis.

The district reserves certain dates when no vacation requests shall be granted and employees shall be asked to observe those days when scheduling their vacations. These dates shall vary with the school calendar and shall include the week prior to the start of school and the last week of school ending with the high school graduation. Other dates may be reserved for major projects.

Earned vacation time shall be paid to staff who voluntarily separate from employment after the date of adoption of this provision.

Catastrophic Sick Leave Bank

The district has established a Sick Leave Bank which full-time and permanent part-time district employees may join through contribution of local leave. Leave contributed to the sick leave bank shall be solely for the use of participating employees. The CSLB plan year shall run from September 1 through August 31.



An employee who is a member of the sick leave bank may request leave from the sick leave bank if the employee or a member of the employee's immediate family experiences a catastrophic illness or injury and the employee has exhausted all paid leave. If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's authorized agent may submit the request.

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

- A. Membership in the sick leave bank, including the number of days an employee must donate to become a member
- B. Procedures to request leave from the sick leave bank
- C. The maximum number of days per school year a member employee may receive from the sick leave bank
- D. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests
- E. Other procedures deemed necessary for the operation of the sick leave bank

All decisions regarding the sick leave bank may be appealed in accordance with DGBA (LOCAL), beginning with the Superintendent or designee.

Catastrophic Sick Leave Bank Administrative Guidelines

The Catastrophic Sick Leave Bank is a pool of local leave days established on a voluntary basis by full-time and permanent part-time District staff members to be used by any member of the CSLB who suffers a catastrophic personal illness/injury or a catastrophic illness/injury of an immediate family member (spouse, children, employee's parents) which extends beyond their own accumulated paid leave.

ADMINISTERING THE CATASTROPHIC SICK LEAVE BANK

The Catastrophic Sick Leave Bank shall be administered by a Catastrophic Sick Leave Bank Committee (CSLBC) representing teachers, administrators, professional support, operations, and staff members.

The CSLBC shall have the responsibility of receiving requests for use of the CSLB, verifying the validity of requests, recommending approval or denial of the requests, and communicating its decision to the member and to the Payroll Office.

The CSLBC shall be appointed by the Superintendent or designee with the advice of directors, supervisors, and principals.



The Catastrophic Sick Leave Bank Committee shall be comprised of CSLB members representative of the following groups:

Director of Finance - Chairperson (or designee)	1
Professional Support Staff	1
School Nutrition Staff	1
Maintenance Staff	1
Transportation Staff	1
Paraprofessional Staff	1
Elementary Teachers	2
Secondary Teachers	<u>2</u>
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Members shall serve two-year staggered terms, with half being appointed on alternate years.

The CSLBC shall meet annually to welcome new committee members and review procedures.

The decision-making process of a request for sick leave days will be conducted via email. Each committee member will receive the information about each request and vote to approve or deny the request by email response. A simple majority vote of the participating CSLBC members shall be required for a request to be approved.

The Director of Finance or designee shall serve as Chairperson and permanent member of the CSLBC.

CONTRIBUTING TO THE CATASTROPHIC SICK LEAVE BANK

All fulltime or permanent part-time employees of the district, who have two (2) days of earned local leave as of August 1 of the current school year, are eligible for initial membership in the Catastrophic Sick Leave Bank. Eligible employees may select to become members of the Catastrophic Sick Leave Bank through the Benefit Solver website viewable by all employees when electing/declining benefits selections during the annual Open Enrollment period. Employees new to the district will have 31-days from their date of hire to apply for Catastrophic Sick Leave Bank membership.

New membership in the Catastrophic Sick Leave Bank requires a 90-day waiting period before a new member is able to access the CSLB. The waiting period will start on September 1st for new members joining during annual enrollment or the actual enrollment date for new hires enrolling at their hire date.

To be a member of the Catastrophic Sick Leave Bank, a staff member shall contribute two (2) days of local leave in the year they join to become vested in the CSLB. One (1) local leave day annually thereafter will be automatically deducted, unless revoked in writing, to continue their membership.



Local leave days contributed to the Catastrophic Sick Leave Bank not used in a school year shall accumulate in the CSLB and will not be returned to staff members.

No CSLB member shall be required, for purposes of maintaining status in the Catastrophic Sick Leave Bank, to contribute more local leave days than other members. However, the CSLB shall have the authority to request additional days from current members if needed.

Eligible staff members who do not elect to join the Catastrophic Sick Leave Bank at the open enrollment period in a school year will not be permitted to join until the subsequent annual open enrollment period of the next school year.

Members of the CSLB may contribute up to ten (10) accrued local leave days to the CSLB upon leaving District employment by retirement or resignation.

USING THE CATASTROPHIC SICK LEAVE BANK

The use of the CSLB will be limited to the number of days in the CSLB or the number of days added to the CSLB following an emergency request by the CSLB to its membership.

Members must use all of their available paid leave before receiving leave from the CSLB.

The maximum number of sick leave days that can be granted to an individual staff member shall be 60 working days per plan year.

Any CSLB member that applies for and receives days from the CSLB will be required to rejoin for the following year, contribute two (2) local leave days that year and will automatically contribute one (1) local leave day annually thereafter, unless revoked on Benefit Solver during open enrollment, to remain a member in subsequent years.

The number of days granted in any one school year will not exceed the number of duty days a member is scheduled to work in that school year according to the District Assignment Calendar for his/her position with the District.

In no case will granting of leave from the CSLB cause a member to receive more than his/her annual salary.

Leave grants from the CSLB shall be in units of not more than forty (40) consecutive working days. At the end of the 40 days, the member may apply for an extension of not more than 20 additional working days (maximum of 60 for any plan year) by submitting an updated statement from the physician on the appropriate form. If a member does not use all of the days granted from the CSLB, the unused Catastrophic Sick Leave Bank days will be returned to the CSLB. The Catastrophic Sick Leave Bank may only be used for the contributor's own personal catastrophic illness/injury or the catastrophic illness/injury of an immediate family member (spouse, children, and employee's parents). The illness or injury must be documented by a physician's statement.



The term *catastrophic illness* implies an illness of a very serious and immediate nature, normally involving the need for extended absence and/or some hospital confinement. Elective surgery will be reviewed by the Committee on an individual basis to determine the appropriateness of the request.

Normal pregnancy with normal delivery is not considered to be a catastrophic illness covered under the Catastrophic Sick Leave Bank.

The CSLB may not be used by members who qualify for Worker's Compensation benefits or any other non-insurance salary reimbursement.

Within ten (10) working days of receipt of a member's request to the CSLB, the CSLBC shall review the request and render its decision to the member and the Payroll Office.

All requests for CSLB days forms shall be available in the Payroll Office, on the Business Office webpage and in the L:Drive/Business Office/Forms folder. All forms shall be sent to any staff member upon request.

All decisions regarding the sick leave bank may be appealed in accordance with DGBA (LOCAL), beginning with the Superintendent or designee.

FILING AN APPLICATION TO THE CATASTROPHIC SICK LEAVE BANK

New membership in the Catastrophic Sick Leave Bank requires a 90-day waiting period before a new CSLB member is able to access the CSLB.

Application for use of the CSLB shall be made on the required form and submitted to the CSLB through the Payroll Office.

All requests to draw upon the Catastrophic Sick Leave Bank must be accompanied by the physician's statement, on the form provided by the CSLBC, confirming the cause of illness or confinement and certifying the existence of a disability to perform assigned duties. The form must be personally signed by the physician. The CSLBC will not honor any physician's statement unless it is on the official *Physician's Statement* form provided by the CSLBC or the district's FMLA form obtained from the Human Resource Office.

An applicant may be required to undergo medical review by a second opinion physician of the CSLBC's choice at the expense of the staff member. The physician's report shall be sent directly to the chairperson of the CSLBC before the Committee may act upon a request to draw upon the Catastrophic Sick Leave Bank.

Each separate request to draw upon the CSLB must include a new Physician's Statement on the appropriate Catastrophic Sick Leave Bank form.

All requests to draw upon the CSLB shall be made within seven (7) days of the staff member's use of his/her last paid leave day in order to process and prevent loss of pay.



In case a member's illness prevents him/her from personally applying for a grant, his/her application may be submitted to the CSLBC by his/her authorized agent or member of his/her family on his/her behalf.

An applicant may submit a request for an extension of a CSLB leave grant before the original grant expires by using the regular Catastrophic Sick Leave Bank Request form accompanied by the newly signed physician's statement. A new CSLB request can be submitted by an employee should a request for an extension not be submitted prior to the original grant expiring. However, the new request may not include retroactive approval of the lapsed time.

TERMINATION OF MEMBERSHIP IN THE CATASTROPHIC SICK LEAVE BANK

A member of the CSLB will lose the right to use the benefits of the CSLB by:

- A. Termination of employment with the district
- B. Being on a suspension without pay status
- C. Any abuse or misuse of the rules of the Catastrophic Sick Leave Bank
- D. Being on an approved leave of absence for reasons other than described in these guidelines

MAINTAINING CATASTROPHIC SICK LEAVE BANK RECORDS

Copies of all *Sick Leave Grant Request* forms shall be marked for approval or denial by the CSLB. Following such action, the CSLB shall disperse copies of the forms to the member and to the Payroll Office.

The Business Office shall maintain all records regarding operation of the CSLB.

The Business Office shall report the status of the Catastrophic Sick Leave Bank at any time upon request of the CSLBC chairperson.

The Business Office shall provide information to the CSLBC upon its request for any data maintained in the Business Office files with regard to an applicant's use of or investment in the Catastrophic Sick Leave Bank.

Family and Medical Leave Act (FMLA)—General Provisions

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



What is FMLA leave?

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

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

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

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

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

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

Am I eligible to take FMLA leave?

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

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

Airline flight crew employees have different “hours of service” requirements.

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

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or •

You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management



How do I request FMLA leave?

Generally, to request FMLA leave you must:

- Follow your employer’s normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

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

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

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

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

What does my employer need to do?

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

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

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

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

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

Where can I find more information?

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

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



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR





Local Procedures for Implementing Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period **from July 1 through June 30.**

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

Combined Leave for Spouses. If both spouses are employed by the District, the District shall not limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks, nor shall the District limit military caregiver leave to a combined total of 26 weeks. [See DECA(LEGAL)]

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 may 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 certification. If an employee takes FML due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification from the health care provider. When leave is taken for the employee's own serious health condition, the certification must address the employee's ability to perform essential job functions (e.g. job description) to the employee with the FML designation notice to share with the health care provider. Fitness for duty is not required when an employee returns to work following leave to care for a family member with a serious health condition; to care for a child following birth, adoption, or foster care placement; or for qualifying exigency leave.

End of semester leave. If a teacher takes leave near the end of the semester, the district may require the teacher to continue leave until the end of the semester.

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 reimbursement of premiums paid by the district during the leave.

District Contact. Employees that require FML or have questions should contact the Human Resources office at (281) 604-7112 for details on eligibility, requirements, and limitations.

Temporary Disability Leave

Certified Employees. Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It



may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

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

When an employee is ready to return to work, Human Resources at (281) 604-7112 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 elect in writing to use available, partial-day increments of sick leave or any other paid leave benefits to make up the difference between wage benefits and pre-injury or -illness wages. While an employee is receiving workers' compensation wage benefits, the district will charge available leave proportionately so that the employee receives an amount equal to the employee's regular salary.

Return to Work Program

Purpose. To return LPISD workers who have been injured on the job to productive status as soon as possible after experiencing the injury.

Benefits. To promote the health of the worker by reducing the time of mental and physical inactivity following an injury. To reduce Workers Compensation insurance costs that result from extended time-loss injuries.

Program. LPISD's Return-to-Work program consists of a team effort by all those involved: the injured worker, the worker's supervisor, the worker's attending physician, district administration, and the Workers Compensation insurance carrier. A "light duty" position will be developed



consistent with the worker's physical limitations in consultation with the attending physician. "Light duty" is defined as a temporary work assignment within the injured worker's physical abilities, knowledge, and skills. Light duty positions will be developed taking into account the worker's needs, the needs of the district, and the district's ability to offer alternative light duty work. The physical requirements of light duty work will be reviewed by the worker's physician to ensure that the proposed light duty job is within the physical capacity of the worker. Light duty assignments are limited to ninety (90) calendar days or less. Light duty assignments may, under extraordinary and well-justified circumstances and with the written approval of the RTW Coordinator, be extended on a case-by-case basis beyond ninety (90) days. Note: The physician's clearance for assigned light duty must be obtained in writing. No employee of the school district has a legal right to any light duty assignment. The number of light duty assignments available in any one department or work area can be limited by the Superintendent, Superintendent's designee or the RTW Coordinator.

Assault Leave

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

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

Jury Duty

Employees will receive leave with pay and without loss of accumulated leave for 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 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 with a copy of the summons to document the need for leave. Employees are to return to work when released by the court. The employee may keep any compensation they receive.



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

Absences for court appearances related to an employee's personal business, for which the employee has not been subpoenaed, shall be deducted from the employee's personal leave or shall be taken by the employee as leave without pay.

Religious Observance

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

Military Leave

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

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

Continuation of Health Insurance. Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the Business Office at 281-604-7054 for details on eligibility, requirements, and limitations.



Payment for Accumulated Leave Upon Separation

Payment for accrued personal leave at the time of retirement or resignation is subject to the REIMBURSEMENT FOR LEAVE UPON RETIREMENT provision in district policy (DEC Local). Earned vacation time shall be paid to staff who voluntarily separate from employment after the date of adoption of this provision.



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, on social media, on the district website, in the district newsletter, and through special events and activities. Recognition and appreciation activities also include the annual service awards and the La Porte Education Foundation activities.

District Communications

Throughout the school year, the Communications Office publishes the district magazine, newsletters, brochures, fliers, social media posts, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

News releases are sent to the Bay Area Observer, Around La Porte, and Houston Chronicle neighborhood section as appropriate and published on the district website and in social media. A four-page district newsletter, The Leader, is inserted in the Bay Area Observer every two weeks. The district also publishes an official magazine, Insider: La Porte ISD four times each school year.

The Communications Office makes use of the district-wide employee email distribution list and the School Messenger email and phone call out system to inform employees of timely or urgent news regarding the district. Information is also provided through the district's website, social media and electronic newsletter, The eLeader.



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. The district's policy concerning the process of bringing concerns and complaints may be found in pages 45-52 of this handbook and at the following address:

<http://pol.tasb.org/Policy/Code/596?filter=DGBA>

A hard copy may also be obtained in the Human Resources Department.



La Porte ISD
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PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Complaints

In this policy, the terms "complaint" and "grievance" shall have the same meaning.

Other Complaint Processes

Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional resources shall be submitted in accordance with EF.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

Notice to Employees

The District shall inform employees of this policy through appropriate District publications.

Guiding Principles
Informal Process

The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

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**PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES**

DGBA
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Direct Communication with Board Members	Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.
Formal Process	<p>An employee may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.</p>
Freedom from Retaliation	Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.
Whistleblower Complaints	Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]
Complaints Against Supervisors	Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.
General Provisions Filing	Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.
Scheduling Conferences	The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee's absence.

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PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Response	At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's e-mail address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
Days	"Days" shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."
Representative	<p>"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.</p> <p>The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p> <p>When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.</p>
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
Costs Incurred	Each party shall pay its own costs incurred in the course of the complaint.

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PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

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Complaint and Appeal Forms	<p>Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.</p> <p>A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiled is within the designated time for filing.</p>
Audio Recording	<p>As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.</p>
Level One	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none"> 1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and 2. With the lowest level administrator who has the authority to remedy the alleged problem. <p>In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.</p> <p>If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.</p> <p>If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.</p> <p>The appropriate administrator shall investigate as necessary and schedule a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.</p>



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Absent extenuating circumstances, the administrator shall provide the employee a written response within ten days following the conference. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the employee a written response within ten days following the conference. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

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Level Three

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board

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with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

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Employee Conduct and Welfare

Standards of Conduct

Policy DH <http://pol.tasb.org/Policy/Code/596?filter=DH>

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

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

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 88 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

Professional Ethical Conduct, Practices, and Performance

Standard 1.1	The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.
Standard 1.2	The educator shall not intentionally, knowingly or recklessly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.
Standard 1.3	The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
Standard 1.4	The educator shall not use institutional or professional privileges for personal or partisan advantage.
Standard 1.5	The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or that are used to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
Standard 1.6	The educator shall not falsify records, or direct or coerce others to do so.
Standard 1.7	The educator shall comply with state regulations, written local school board policies, and other state and federal laws.
Standard 1.8	The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.



Standard 1.9	The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.
Standard 1.10	The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
Standard 1.11	The educator shall not intentionally, knowingly, or recklessly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
Standard 1.12	The educator shall refrain from the illegal use, abuse or distribution of controlled substances, prescription drugs and toxic inhalants.
Standard 1.13	The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

Ethical Conduct toward Professional Colleagues

Standard 2.1	The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
Standard 2.2	The educator shall not harm others by knowingly making false statements about a colleague or the school system.
Standard 2.3	The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
Standard 2.4	The educator shall not interfere with a colleague’s exercise of political, professional, or citizenship rights and responsibilities.
Standard 2.5	The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
Standard 2.6	The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
Standard 2.7	The educator shall not retaliate against any individual who has filed a complaint with the SBEC or provides information for a disciplinary investigation or proceeding under this chapter.
Standard 2.8	The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

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.
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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	<p>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:</p> <ul style="list-style-type: none"> (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 **up to and including termination.**

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

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

**EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION**

Policy DIA (Local) [https://pol.tasb.org/Policy/Download/596?filename=DIA\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/596?filename=DIA(LOCAL).pdf)

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Angela Garza-Viator
Position: Executive Director of Human Resources
Address: 1002 San Jacinto, La Porte, TX 77571
Telephone: (281) 604-7110
Email: viatora@lpisd.org

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Billye Trader
Position: Executive Director of Special Programs
Address: 1002 San Jacinto, La Porte, TX 77571
Telephone: (281) 604-7034
Email: traderb@lpisd.org



STUDENT WELFARE

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

Policy FFH (Local) <http://pol.tasb.org/Policy/Code/596?filter=FFH>

Harassment of Students

Policies DH, DHB, FFG, FFH, FFI

Policy FFH (local) [https://pol.tasb.org/Policy/Download/596?filename=FFH\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/596?filename=FFH(LOCAL).pdf)

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 regardless of the age of the student.

Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. Any district employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct based on sex, including sexual harassment, of a student shall immediately notify the district’s Title IX coordinator, the ADA/Section 504 coordinator, or superintendent and take any other steps required by district policy.

All allegations of prohibited harassment of a student by an employee or adult will be reported to the student’s parents and promptly investigated. An employee who knows of or has reasonable cause to believe that child abuse or neglect occurred must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, page 64 and *Bullying*, page 87 for additional information.

The district’s policy that includes definitions and procedures for reporting and investigating harassment of students is located at the link below:

[https://pol.tasb.org/Policy/Download/596?filename=FFH\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/596?filename=FFH(LOCAL).pdf)

[https://pol.tasb.org/Policy/Download/596?filename=FFH\(LEGAL\).pdf](https://pol.tasb.org/Policy/Download/596?filename=FFH(LEGAL).pdf)

[https://pol.tasb.org/Policy/Download/596?filename=FFH\(XHIBIT\).pdf](https://pol.tasb.org/Policy/Download/596?filename=FFH(XHIBIT).pdf)

Definition of Solicitation of a Romantic Relationship

DHB (Legal)

Solicitation of a Romantic Relationship

“Solicitation of a romantic relationship” means deliberate or repeated acts that can be reasonably interpreted as the solicitation by an educator of a relationship with a student that is romantic in nature. A romantic relationship is often characterized by a strong emotional or sexual attachment and/or patterns of exclusivity but does not include appropriate educator-student relationships that arise out of legitimate contexts such as familial connections or longtime acquaintance. The following acts, considered in context, may constitute prima facie evidence of the solicitation by an educator of a romantic relationship with a student:

1. Behavior, gestures, expressions, or communications with a student that are unrelated to the educator’s job duties and evidence a romantic intent or interest in the student, including statements of love, affection, or attraction. Factors that may be considered in determining the romantic intent of such communications or behavior include: The nature of the communications;



- a. The timing of the communications;
 - b. The extent of the communications;
 - c. Whether the communications were made openly or secretly;
 - d. The extent that the educator attempts to conceal the communications;
 - e. If the educator claims to be counseling a student, SBEC may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate authorities; and
 - f. Any other evidence tending to show the context of the communications between educator and student.
2. Making inappropriate comments about a student's body, creating or transmitting sexually suggestive photographs or images, or encouraging the student to transmit sexually suggestive photographs or images.
 3. Making sexually demeaning comments to a student.
 4. Making comments about a student's potential sexual performance.
 5. Requesting details of a student's sexual history.
 6. Requesting a date, sexual contact, or any activity intended for the sexual gratification of the educator.
 7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
 8. Inappropriate hugging, kissing, or excessive touching.
 9. Providing the student with drugs or alcohol.
 10. Violating written directives from school administrators regarding the educator's behavior toward a student.
 11. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
 12. Any other acts tending to show that the educator solicited a romantic relationship with the student.

19 TAC 249.3(51)

The superintendent may notify SBEC of any educator misconduct that the superintendent believes in good faith may be subject to sanctions by SBEC. 19 TAC 249.14(d)
[https://pol.tasb.org/Policy/Download/596?filename=DHB\(LEGAL\).pdf](https://pol.tasb.org/Policy/Download/596?filename=DHB(LEGAL).pdf)

The district designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:



Name: Angela Garza-Viator
Position: Executive Director of Human Resources
Address: 1002 San Jacinto, La Porte, TX 77571
Telephone: (281) 604-7110
Email: viatora@lpsid.org

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Billye Trader
Position: Executive Director of Special Programs
Address: 1002 San Jacinto, La Porte, TX 77571
Telephone: (281) 604-7034
Email: traderb@lpsid.org

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

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

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

Reporting Suspected Child Abuse

Policies DG, FFG, GRA

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

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

Reports to Child Protective Services can be made online at



<https://www.txabusehotline.org/Login/Default.aspx> or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report. La Porte Police Department at 281-471-2141 may also be contacted.

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

An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

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

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

Sexual Abuse and Maltreatment of Children

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed at the District Improvement Plan link on the LPISD home page, <https://www.lpsid.org/departments/curriculum/district-campus-improvement-plans>. 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 otherwise maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who has reasonable cause to believe that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect. Employees are required to follow the procedures described above in *Reporting Suspected Child Abuse*.



Reporting Crime

Policy DG

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

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 attached to its networks, and all district-owned devices used on or off school property are primarily for administrative and instructional purposes.

Limited personal use is permitted if the use:

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

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

Employees are required to abide by the provisions of the acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and/or legal action. Employees with questions about computer use and data management can contact the Managing Director of Technology at (281) 604-7146.



Personal Use of Electronic Communications

Policy CQ, DH

Electronic communications include all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic communications also 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:
 - Confidentiality of student records. [See Policy FL]
 - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See DH (EXHIBIT)]
 - Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
 - Copyright law [See Policy CY]



- Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See DH (EXHIBIT)]

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



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

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile or 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. Employees are responsible to work with immediate supervisor to adhere to expectations for the retention of school-related information, including text messages. **For this reason, it is the expectation that those who, in the past, utilized text messaging are to use the district-approved application (app) rather than text messaging or any other personal app account. If text messaging is to be used by a teacher, trainer or other employee who has extracurricular duty, prior written permission from the immediate supervisor must be obtained and records retention expectations must be followed.**
- An employee who communicates with a student using text messaging shall comply with the following protocol:
 - Include at least one of the student’s parents/guardians as a recipient on each text message to the student so that the student and the parent receive the same message; and
 - Include his/her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message.
 - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s district email address.
- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- **The employee shall not communicate directly with any student between the hours of 9 p.m. and 6 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.**
- The employee does not have a right to privacy with respect to communications with students and parents.



- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), **including retention and confidentiality of student records.** [See Policies CPC and FL]
 - Copyright law [Policy CY]
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, 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 her supervisor in writing **within one business day** if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

Public Information on Private Devices

Policy DH, GB

Employees should not maintain district information on privately owned devices. Any district information must be forwarded or transferred to the district to be preserved. Contact your immediate supervisor for support in maintaining the information. 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, DHB.DHC

An employee must notify his or her principal or immediate supervisor and Human Resources within three calendar days, or prior to returning to work, whichever comes sooner, of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee of any felony, and any of the other offenses listed below:

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

Moral turpitude includes the following:

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

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

Certified Employees. The superintendent and directors are required to report the misconduct or criminal history of a certified employee or individual applying for certification or permit to TEA Division of Educator Investigations. Information about misconduct or allegations of misconduct of a certified employee obtained by a means other than the criminal history clearinghouse that results in termination, resignation, or criminal history (e.g., arrest, indictment, prosecution, conviction, or other disposition by the criminal justice system, including probation and deferred adjudication) will be reported to TEA.

Misconduct or allegations of misconduct include:

- Abused or otherwise committed an unlawful act with a student or minor
- Possessed, transferred, sold, or distributed a controlled substance
- Illegally transferred, appropriated, or expended school property or funds



- Attempted by fraudulent means to obtain or alter any certificate or permit to gain employment or additional compensation
- Committed a criminal offense on school property or at a school-sponsored event, or
- Solicited or engaged in sexual conduct or a romantic relationship with a student or minor

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

Misconduct or allegations of misconduct include:

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

Alcohol and Drug-Abuse Prevention

Policies DH, DI

La Porte 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 information on alcohol and drug abuse prevention can be located in the following Board policies:

- Alcohol and Drugs/Notice of Drug-Free Workplace – DH (LOCAL)
[https://pol.tasb.org/Policy/Download/596?filename=DH\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/596?filename=DH(LOCAL).pdf)
- Federal Drug-Free Workplace Act – DH (LEGAL)
[https://pol.tasb.org/Policy/Download/596?filename=DH\(LEGAL\).pdf](https://pol.tasb.org/Policy/Download/596?filename=DH(LEGAL).pdf)

Tobacco Products and E-Cigarette Use

Policies DH, FNCD GKA

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



Fraud and Financial Impropriety

Policy CAA

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

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district
- Inappropriately destroying, removing, or inappropriately 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
- Any employee who suspects dishonest or fraudulent activity shall notify the Superintendent's Office. Alternatively, employees may anonymously report suspected fraud or misuse through the District's Fraud Hotline: English (844) 990-0050 or Spanish (800) 216-1268. Caller ID is not enabled through this hotline and you will not be identified unless you prefer to leave your contact information. You may also report fraud or misuse via e-mail: reports@Lighthouse-services.com. An employee should not personally conduct investigations or contact a suspected individual to determine facts or demand restitution.

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

Private tutoring of district students for pay



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.

DISCLOSURE

An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or that creates a potential conflict of interest with the best interest of the District.

Prior to the award of a contract or authorization of payment by the District, an employee shall file with the Superintendent, Board President, or a designee an affidavit disclosing any substantial interest in a business entity or interest in real property, as defined at BBFA, if the employee is in a position to affect a financial decision involving the business entity or the real property.

ENDORSEMENTS

An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the District employee during non-school hours. No employee shall require students to purchase a specific brand of school supplies if other brands are equal and suitable for the intended instructional purpose.

SALES

An employee shall not use his or her position with the District to attempt to sell products or services.

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 and Security

Policy CK series

The district has developed and promotes a comprehensive program to ensure the safety and safety and security of its employees, students, and visitors. The safety and security program includes written guidelines and procedures for responding to emergency situations. The program also includes activities to help reduce the frequency of accidents and injuries.

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

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

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

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



Employees with questions or concerns relating to safety programs and issues can contact the Director of Human Resources at (281) 604-7107 or the Deputy Superintendent of Administration and Support Services at (281) 604-7072.

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 La Porte Police Department at (281) 471-2141 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 Central Office and is available for inspection during normal business hours.

Pest Control Treatment

Policies CLB, DI

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

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



Other Topics

Management of Activity Funds

Overview

According to the TEA FASRG (Financial Accountability System Resource Guide), Site-Based Decision-Making Module, activity funds historically have been accounted for by school districts in various fund groups: general fund (Fund 19X), special revenue funds (Fund 461) and agency funds (Fund 865). A school district should consider the following questions to determine the proper method and fund in which activity funds should be accounted:

- Does local board policy allow for recall of excess or unused fund balances into the general fund for general school district use? If so, these activity funds should be accounted for in the *general fund*, and revenues and expenditures should be budgeted.
- Do other persons besides the students involved in the activity fund (teachers, sponsors, principals, administrators, etc.) have the decision-making authority for the use of the activity funds? If so, this money should be accounted for in *Fund 461 - Campus Activity Funds*.
 - The district has made the determination that all Campus Activity Funds will be accounted for in Fund 461. This shall include the principal's activity account and any other non-student organization accounts such as the library, grade level teachers, athletics, etc. This should also include donations made by the PTO or Booster Clubs.
- Do activity fund financial decisions rest solely with the students? If so, this money should be accounted for in *Fund 865 - Student Activity Account* which serves as an agency account for student club or class funds.
 - The district has made the determination that all Student Activity Funds will be accounted for in Fund 865. This shall include all student organizations and clubs that meet the definition of a bona fide club or chapter, i.e. have elected officers and by-laws, i.e. Student Council, Chess Club.
- Are the funds used solely for scholarships for graduating seniors? If so, the funds should be accounted for in a *Trust Fund* which is recorded in Funds 800-829.
 - The district has made the determination that all Scholarship Funds will be accounted for in Funds 800-829. This shall include payments to colleges/trade schools for scholarships awarded to graduating seniors.
- Are the funds collected by faculty/staff for the use by faculty/staff, i.e. Sunshine, Social Committee activities? If so, this money should be accounted for in a *Locally Defined Agency Fund (876-898)*.
 - The district has made the determination that all faculty/staff funds will be accounted for in Fund 877. Campuses may establish a staff/employee account (Hospitality or Sunshine) with voluntary donations from staff. These funds are not district funds and may be used in any legal manner subject to district policy and procedures. Purchases with these funds are subject to sales tax as they represent personal purchases and not district purchases. Purchases typically include flowers for ill staff members, donations to charitable organizations per funeral requests, etc.

All fundraising activities through Activity Funds shall meet the sales tax rules as established by the State Comptroller's Office. All sponsors of fundraisers [subject to sales tax] shall report and



pay the sales tax due to the Business Office on a monthly basis. The Business Office will report and pay the sales tax due to the Comptroller as required. Fundraisers that meet the “one day tax free day” will not be subject to sales tax. Specifically, each school district, every campus and every bona fide club or organization may conduct two (2) tax free fundraisers per calendar year. The Comptroller’s School Fundraisers and Texas Sales Tax [July 2009] and La Porte ISD Sales Tax Rules provide an excellent resource regarding what sales are taxable or non-taxable.

Generation of activity funds shall not in any way compete with the district’s food service program, the National School Lunch Program (NSLP). 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 activity funds shall be held to the same standard and scrutiny as that of appropriated funds. Activity funds are subject to audit and must adhere to accepted business practices.

All forms of activity funds are managed using a centralized system. Even though these funds are under a centralized system all funds (under the control of the principal) shall be collected, receipted, and deposited to the district’s depository bank on a daily basis. All expenditures will be generated at the campus or department level using the centralized requisition entry process.

Funds may be transferred between Campus Activity Funds at the discretion of the campus principal. Transfer of funds between Student Activity Funds shall be approved by the members of the student clubs, the club sponsors and the campus principal. It is recommended that transfers between accounts be settled up prior to the end of the school year.

If a student organization ceases to function or exist, the unexpended funds of the organization shall be credited to the appropriate Campus Activity Account.

Activity Funds (Campus or Department – Fund 461)

Campus activity funds shall be primarily used to benefit the district or its students in accordance with School Board Policy. [Refer to School Board Policy CFD Local] Typical uses include field trip fees, awards, incentives, etc. These funds shall not be used for “gifts” to individual students and/or staff members. Budgeted funds shall not be used to generate activity funds, and generally staff shall not (administrative/support) earn wages while generating activity funds. Giving of staff time to generate activity funds shall be voluntary.

Activity Accounts (Student Organizations – Fund 865)

Student activity funds shall be used exclusively for the benefit of students. Typical uses include travel, awards, banquets, supplies, etc. These funds shall be used at the discretion of the student organization through designation of one or more of its officers and principal/sponsor approval.

To establish an activity account, an organization should have an approved constitution, by-laws or elected officers and administrator approval. Optional but recommended: The treasurer and/or president of the organization shall sign-off on all purchases. The assigned organization sponsor (professional staff member) shall be responsible for the proper management of the student activity accounts.



Since Student Activity Accounts are trust funds that the campus manages on behalf of the students, accountability for these funds is extremely high. The sponsor of each student organization is required to maintain adequate records to support the financial activities of the group. At the end of every school year, the principal or designee, as part of the closeout procedures, shall collect all receipt books for storage over the summer break. At the beginning of the new school year the receipt books will be returned to the sponsor. Student Activity records should be retained for 5 years as required by the Texas State Library and Archives Commission Schedule. These records are subject to review during the audit of the school's activity funds. For more detailed information, please refer to the Business Office Procedures Manual.

Use of District Mail System

The district mail system for delivering items between district buildings shall not be available for use other than official school business. With the permission of the Superintendent or designee, internal mailboxes at an individual campus may be used by campus employees and school-sponsored or school support groups affiliated with that campus. [See also GKD]

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:

Houston area TV stations and www.lpsid.org

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 campus administrator 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 Business Office at (281) 604-7062 for additional information on purchasing procedures.

Name and Address Changes:

It is important that employment records be kept up to date. Employees should update the Employee Information section of the Employee Access Center if there are any changes or corrections to their home address, contact telephone number, or emergency contact. Employees should contact the Human Resources office at (281) 604-7113 for other changes such as name, marital status, or beneficiary.

Personnel Records

Policy DBA, GBA

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal e-mail 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 Human Resources. 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 by 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. Contact the Maintenance Department to request to use school facilities and to obtain information on the fees charged.



Termination of Employment

Resignations

Policy DFE, DHB

Contract Employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the superintendent or designee, which includes the Executive Director of Human Resources. Supervisors who have not been designated by the board to accept resignations shall instruct the employee to submit the resignation to the Executive Director of Human Resources.

Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The principal is required to notify the superintendent of an educator's resignation within seven (7) business days following an alleged incident of misconduct for any of the acts listed in *Reports to Texas Education Agency* on page 88. The superintendent will notify SBEC when an employee resigns and there is evidence that the employee has engaged in such misconduct.

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

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, DHB

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be non-renewed 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 time lines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee.



The principal is required to notify the superintendent of an educator’s termination within seven (7) business days following an alleged incident of misconduct for any of the acts listed in Reports to Texas Education Agency on page [87](#). The superintendent will notify SBEC when an employee is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee’s certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF series policies that are provided to employees or are available on line.

Dismissal of Noncontract Employees

Policies DCD, DP

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, sex, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page [44](#).)

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.

The Board delegates to the Superintendent authority to employ and dismiss the following categories of employees, who shall serve on an at-will basis: paraprofessionals and auxiliary employees.

Reasonable Assurance of Employment

District employees in positions normally requiring less than 12 months of service annually and who are expected to report to work at the beginning of the following school session shall be provided a letter of reasonable assurance of employment. [See CRF]

Dismissal of At-Will Employees

At-will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the needs of the district. At-will employees who are dismissed shall receive pay through the end of the last day worked.



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 of 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, if possible, 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 to the immediate supervisor or designated district official 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. "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, or solicited or engaged in sexual conduct 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. Notice of the following must be sent to the court and support recipient, or in the case of child support, the Texas Attorney General Child Support Division:

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



Student Issues

Equal Educational Opportunities

Policies FB, FFH

In an effort to promote nondiscrimination and as required by law, La Porte ISD does not discriminate on the basis of race, color, religion, national origin, age, sex, or disability in providing education services, activities, and programs, including Career and Technical Education (CTE) programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to Angela Garza-Viator, Executive Director of Human Resources, 1002 San Jacinto Street, La Porte, Texas 77571, 281-604-7110 or viatora@lpisd.org, the district Title IX coordinator for students. Questions or concerns about discrimination on the basis of a disability should be directed to Billye Trader, Executive Director of Special Programs, 1002 San Jacinto Street, La Porte, Texas 77571, traderb@lpisd.org, or (281) 604-7034, the district ADA/Section 504 coordinator for students. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

Student Records

Policy FL

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

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

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



Parent and Student Complaints

Policy FNG

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

Parents are encouraged to discuss problems or complaints with the teacher or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response. The process for hearing complaints at a higher level can be obtained from the Executive Directors of Elementary or Secondary Education or on-line at:

<http://pol.tasb.org/Policy/Code/596?filter=FNG>

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 administration for **respiratory distress** medication, medication for anaphylaxis (e.g., EpiPen®), **opioid antagonists** 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.

ADMINISTERING MEDICATION

No employee shall give any student prescription medication, nonprescription medication, herbal substances, anabolic steroids, or dietary supplements of any type, except as provided below.

EXCEPTIONS:

PRESCRIPTION MEDICATION

Unless an exact time is specified by the physician, prescription medication labeled to be taken two or three times a day shall be given outside of school hours. When it is necessary for prescription medication to be taken at school, employees authorized by the Superintendent or designee may administer medication to students in accordance with the following guidelines:

1. Medication prescribed by a physician shall be properly affixed with a prescription label including the student's name, the name of the drug, the directions concerning dosage, and instructions about the duration of the medication period.



2. The prescription for the medication must be current and be issued by a pharmacy located in the United States.
3. The medication must appear to be in the original container or from a properly labeled unit dosage container filled by a registered nurse or another District-designated employee from a container that appears to be the original container and to be properly labeled.
4. Sample medication issued by a physician shall require a written directive /prescription from a physician.
5. A written authorization from the parent, legal guardian, or other person having legal control of the student, approving the administration of the medication to the student, shall be presented to the school nurse's office.

OVER-THE- COUNTER

1. Over-the-counter or nonprescription medication shall be administered only as follows:
Upon a parent's written request, when properly labeled and in the original container.
Nonprescription medication shall be administered according to the written directions on the original unopened container.
2. Herbal substances or dietary supplements, prescribed by a physician and provided by the parent, and only if required by the Individualized Education Program or Section 504 plan of a student with disabilities.

SCHOOL NURSE'S RESPONSIBILITY

Medication to be administered to a student shall be delivered to the school nurse's office by the student or parent upon arrival at the school campus. Unused medication shall be sent home with the student or picked up by the parents. The school nurse (RN) shall be required, by his or her licensing rules, to clarify any order or treatment regimen that he or she believes to be inaccurate, unclear, no efficacious, or contraindicated, by consulting the appropriate physician, pharmacist, or reliable medical journal.

The nurse shall document, on the appropriate form provided by the District, the concerns, reasons for such concerns, and the specific information obtained from the sources consulted or reviewed.

If a nurse, in his or her professional opinion, believes a prescribed medication is unsafe for a student, the nurse must first notify the parent as to why the medication is not being administered. The nurse shall attempt within one hour of the decision to reach the parent and shall follow up by sending written notice.

The nurse shall contact the prescribing physician and discuss the prescription with which the nurse is concerned. The nurse must then document the conversation with the prescribing physician and detail specifically any concerns that still exist regarding the administration of the medication on the appropriate form.

After the nurse has contacted the parent and the physician, researched any related medical journals or documents, and documented the investigation, the District shall then allow the nurse



to refuse to administer any medication that the nurse, in his or her good faith professional opinion believes is unsafe for the student for whom the medication is prescribed.

Parents, guardians, or other persons having legal control of the student may, under the guidance of the school nurse, themselves administer the medication during school hours to students affected by this policy.

VIOLATIONS

Students who disregard the above provisions may be held in violation of the District's Student Code of Conduct and be subject to appropriate disciplinary action.

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.



*Series F, Board Policy, Students <http://pol.tasb.org/Policy/Section/596?filter=F>

TEC Chapter 37

http://www.tea.state.tx.us/index2.aspx?id=262&menu_id=2147483656

http://tea.texas.gov/Texas_Schools/Safe_and_Healthy_Schools/Chapter_37_-_Safe_Schools/

Student Attendance

Policy FEB

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, the student upon returning to school, must bring a note signed by the parent/guardian that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

Bullying

Policy FFI <http://pol.tasb.org/Policy/Code/596?filter=FFI>

Policy FFH <http://pol.tasb.org/Policy/Code/596?filter=FFH>

Policy FFI (Local) [https://pol.tasb.org/Policy/Download/596?filename=FFI\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/596?filename=FFI(LOCAL).pdf)

Bullying is defined as TEC §37.0832. All employees are required to report student complaints of bullying, including cyberbullying, to the campus principal or designee. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below, Policy FFI (LOCAL)



La Porte ISD
101916

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

Note: This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying.

For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

Bullying Prohibited	The <u>District</u> prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.
Examples	Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.
Retaliation	The <u>District</u> prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.
Examples	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
False Claim	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.
Timely Reporting	Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the <u>District's</u> ability to investigate and address the prohibited conduct.
Reporting Procedures	To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.
Student Report	
Employee Report	Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

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La Porte ISD
101916

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

Report Format	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
Notice of Report	When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.
Prohibited Conduct	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
Investigation of Report	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
Concluding the Investigation	Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation. The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.
Notice to Parents	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.
District Action	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.
<i>Discipline</i>	

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La Porte ISD
101916

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

	The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.
<i>Corrective Action</i>	Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.
<i>Transfers</i>	The principal or designee shall refer to FDB for transfer provisions.
<i>Counseling</i>	The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.
Improper Conduct	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.
Confidentiality	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.
Appeal	A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.
Records Retention	Retention of records shall be in accordance with CPC(LOCAL).
Access to Policy and Procedures	This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

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

The following list of employment policies are required to be available to employees and they are available from the La Porte Independent School District web site under School Board, Board Policy Manual, at www.lpsid.org:

DAA – Equal employment opportunity
DAB – Genetic nondiscrimination
DBAA – Criminal history and credit reports
DBD – Conflict of interest
DC Series – Employment practices
DCB – Term Contracts
DEA Series – Salaries and wages; incentives and stipends
DEC Series – Leaves and absences
DF- Termination of employment
DFA Series – Termination of, or return to, probationary contract
DFB Series – Termination of term contracts
DFD – Hearings before hearing examiner
DFE – Resignations
DFF – Reduction in force
DFFA-Reduction in force due to financial exigency
DFFB- Reduction in force due to program change
DG – Employee rights and privileges
DGBA – Employee complaints
DH – Employee standards of conduct
DHB – SBEC reporting
DHE – Searches and Drug/Alcohol Testing
DI – Employee welfare
DIA – Discrimination, harassment, and retaliation
DK – Assignments and schedules
DN Series – Performance appraisal

Series D, Board Policy, Personnel <http://pol.tasb.org/Policy/Section/596?filter=D>

The following list of policies are required to be available to employees and they are available from the La Porte Independent School District web site under School Board, Board Policy Manual, at www.lpsid.org:

BQ (Legal) – Planning and Decision-Making Process



Student Discipline

TEC Chapter 37

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.37.htm>

FN Series and FO Series

<http://pol.tasb.org/Policy/Section/596?filter=F>

Other Important Information

Key policies and administrative procedures which employees are expected to be familiar include the following.

District Goals and Planning

AE – District educational philosophy

<http://pol.tasb.org/Policy/Code/596?filter=AE>

BQ Series – District- and campus- level planning

<http://pol.tasb.org/Policy/Section/596?filter=B>

Instruction and Students

EFA – Handling complaints regarding instructional materials

<http://pol.tasb.org/Policy/Code/596?filter=EFA>

EIA – Grading standards and grade reporting

<http://pol.tasb.org/Policy/Code/596?filter=EIA>

EIE – Promoting and retaining students

<http://pol.tasb.org/Policy/Code/596?filter=EIE>

FB Series – Protection of students from unlawful discrimination

<http://pol.tasb.org/Policy/Section/596?filter=F>

FE Series – Student Attendance

<http://pol.tasb.org/Policy/Section/596?filter=F>

FFAC – Providing medical treatment or medication to students

<http://pol.tasb.org/Policy/Section/596?filter=F>

FFAD – Excluding students with communicable diseases

<http://pol.tasb.org/Policy/Section/596?filter=F>

FFAF – Care plans for students at risk for anaphylaxis

<http://pol.tasb.org/Policy/Section/596?filter=F>

FFB – Mandated reporting of child abuse and neglect

<http://pol.tasb.org/Policy/Section/596?filter=F>

FFH – Freedom from discrimination, harassment, and retaliation

<http://pol.tasb.org/Policy/Section/596?filter=F>

FFI – Freedom from bullying

<http://pol.tasb.org/Policy/Section/596?filter=F>



FL – Safeguarding privacy of student records

<http://pol.tasb.org/Policy/Section/596?filter=F>

FNA – Student expression

<http://pol.tasb.org/Policy/Section/596?filter=F>

FNAA – Distribution of non-school literature

<http://pol.tasb.org/Policy/Section/596?filter=F>

FNAB – Use of school facilities for non-school purposes

<http://pol.tasb.org/Policy/Section/596?filter=F>

FNC – Student conduct

<http://pol.tasb.org/Policy/Section/596?filter=F>

FNG – Handling student/parent complaints; parents’ rights

<http://pol.tasb.org/Policy/Section/596?filter=F>

GRA – Interaction of police and child protective services with students on campus

<http://pol.tasb.org/Policy/Code/596?filter=GRA>

Personnel

CAA – Financial ethics

<http://pol.tasb.org/Policy/Code/596?filter=CAA>

CK Series --- Employee safety practices and crisis management

<http://pol.tasb.org/Policy/Section/596?filter=C>

CQ – District computers and electronic communications

<http://pol.tasb.org/Policy/Code/596?filter=CQ>

CRD – Health and life insurance

<http://pol.tasb.org/Policy/Code/596?filter=CRD>

CY – Intellectual property and copyright

<http://pol.tasb.org/Policy/Code/596?filter=CY>

DA Series – Equal employment opportunity and genetic nondiscrimination

<http://pol.tasb.org/Policy/Section/596?filter=D>

DBAA – Criminal history and credit reports

<http://pol.tasb.org/Policy/Code/596?filter=DBAA>

DBD – Conflict of interest

<http://pol.tasb.org/Policy/Code/596?filter=DBD>

DC Series – Employment Practices

<http://pol.tasb.org/Policy/Section/596?filter=D>

DEA Series – Salaries, wages, incentives and stipends

<http://pol.tasb.org/Policy/Section/596?filter=D>

DEC – Employee leaves and absences

<http://pol.tasb.org/Policy/Code/596?filter=DEC>

DECA – Family and medical leave

<http://pol.tasb.org/Policy/Code/596?filter=DECA>



DECB – Military leave

<http://pol.tasb.org/Policy/Code/596?filter=DECB>

DEE – Requirements for expense reimbursement

<http://pol.tasb.org/Policy/Code/596?filter=DEE>

DF Series – Termination of employment

<http://pol.tasb.org/Policy/Section/596?filter=D>

DFA Series – Termination of, or return to, probationary contract

<http://pol.tasb.org/Policy/Section/596?filter=D>

DFB Series – Termination of term contracts

<http://pol.tasb.org/Policy/Section/596?filter=D>

DFD – Hearings before hearing examiner

<http://pol.tasb.org/Policy/Code/596?filter=DFD>

DFE – Resignations

<http://pol.tasb.org/Policy/Code/596?filter=DFE>

DFFA – Reduction in force due to financial exigency

<http://pol.tasb.org/Policy/Code/596?filter=DFFA>

DFFB – Reduction in force due to program change

<http://pol.tasb.org/Policy/Code/596?filter=DFFB>

DGBA – Process of employee complaints and grievances

<http://pol.tasb.org/Policy/Code/596?filter=DGBA>

DH – Employee standards of conduct

<http://pol.tasb.org/Policy/Code/596?filter=DH>

DHE – Alcohol/drug screening and other searches of employees

<http://pol.tasb.org/Policy/Code/596?filter=DHE>

DI – Drug free workplace

<http://pol.tasb.org/Policy/Code/596?filter=DI>

DIA – Freedom from discrimination, harassment and retaliation

<http://pol.tasb.org/Policy/Code/596?filter=DIA>

DK – Assignment to positions; transfers

<http://pol.tasb.org/Policy/Code/596?filter=DK>

DMD – Attendance at professional meetings on school time

<http://pol.tasb.org/Policy/Code/596?filter=DMD>

DN Series – Employee evaluation/appraisal

<http://pol.tasb.org/Policy/Section/596?filter=D>

GBA Series – Confidentiality of personnel records; public and nonpublic information

<http://pol.tasb.org/Policy/Section/596?filter=G>

GBBA – News media relations and communications during a crisis

<http://pol.tasb.org/Policy/Code/596?filter=GBAA>

GKD series – Non-school use of school facilities and distribution on non-school

literature. <http://pol.tasb.org/Policy/Section/596?filter=G>



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