

# La Vega Pirates

2023-2024



## Employee Handbook

La Vega ISD does not discriminate on the basis of race, religion, color national origin, age, sex, or disability in providing educational services, activities, and programs.

Approved by the LVISD Board of Trustees – July 18, 2023

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# Employee Handbook Receipt

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Name \_\_\_\_\_

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

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

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

*The electronic format can be found at: [www.lavegaisd.org](http://www.lavegaisd.org)*

Please indicate your choice by checking the appropriate box below:

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please sign and date this receipt and forward it to Deborah Ray in the Personnel Office.

# Introduction

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The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to the La Vega ISD Personnel Office.

This handbook is neither a contract nor a substitute for the official district board 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.lavegaisd.org](http://www.lavegaisd.org).

# District Information

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## Description of the District

The La Vega Independent School District, established in 1927, encompasses 31.5 square miles in central McLennan County. Accredited by the Texas Education Agency, the District provides quality education for pre-kindergarten through twelfth grade, as well as vocational and special education for pre-school and school-age children. Serving an approximate population of 14,000 residents, the District strives to provide a variety of educational opportunities and involvement for the entire community.

The District philosophy expresses a desire for students to achieve intellectual, social, physical, economic, and occupational competence through their learning activities. Emphasis on academic and vocational activities provides students with opportunities for total development.

Personnel in LVISD receive extensive, on-going professional development opportunities. As the school staff is provided with new and better tools for instruction and management, the District believes it will be better able to guarantee that all students will be exposed to a quality environment, which will ensure learning.

The District enrollment is approximately 3,017, with 11.34% white, 25.49% African American, 59.26% Hispanic, and 0.17% of Asian or Pacific Islander, 3.61% of two or more.

## Mission Statement, Goals, and Objectives

### *Policy AE*

The mission of the District is to provide a needs-satisfying environment where everyone can produce successfully, with the understanding that learning adds quality to life. Preparing each student to contribute to an ever-changing interdependent society is our commitment.

## 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 five elected from single-member Districts in accordance with Texas law and serve three-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

Current board members include:

Henry Jennings, President

Myron Ridge, Vice President

Brenda Rocha, Member

Raymond Koon, Secretary

Mildred Watkins, Member

Rev. Larry Carpenter, Asst. Secretary

Raymond Devorsky, Member

## Board Meeting Schedule

The board usually meets on the third Tuesday of every month at 7:00 p.m. at the District's Administration Building, 400 East Loop 340, Waco, Texas. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and at the Administration building and 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

400 E. Loop 340, Bellmead, Texas 76705  
(254) 299-6700 ~ FAX (254) 799-8642

Dr. Sharon M. Shields

Superintendent of Schools

Todd Gooden

Deputy Superintendent for Personnel & Administration

James Garrett

Asst. Superintendent for Finance

Dr. Charla Rudd

Chief Academic Officer for Acceleration

Sandra Gibson

Asst. Supt. for Curriculum, Instruction, & Assessment

Dr. Peggy Johnson

Ex. Director of Bilingual Education & Special Programs

Angela Ward

Ex. Director of Special Ed, Assessment, & St. Support

Allison Vrana

Ex. Director for the LV Education Foundation

## School Calendar

The Board of Trustees annually approves the school calendar in the spring proceeding the upcoming school year. Visit our website at [www.lavegaisd.org](http://www.lavegaisd.org) to print copies of the most updated calendar.



## 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.

### Support Services

#### ***Special Education Services***

901 Maxfield  
Bellmead, Texas 76705  
254-299-6750

Ex. Director: Angela Ward  
Asst. Director: Stacy Heath

#### ***Technology Department***

3101 Latimer, Bldg. F  
Bellmead, Texas 76705  
254-299-6720

Director: Justin Peebles  
Asst. Director: Scott Muesse

#### ***Maintenance Department***

3101 Latimer  
Bellmead, Texas 76705  
254-799-6696  
254-799-2824 Warehouse

Director: James Langlotz

#### ***Child Nutrition Services***

3101 Latimer, Bldg. F  
Bellmead, Texas 76705  
254-299-6807

Director: Dave Thiel

#### ***Transportation Department***

2604 Beale  
Bellmead, Texas 76705  
254-799-7453

Supervisor: Mandy Livingston

#### ***Custodial Department***

3101 Latimer  
Bellmead, Texas 76705  
254-299-6852

Director: Tray Arthur

## Campus Directory

### ***La Vega Learning Center***

900 Ashleman  
Bellmead, Texas 76705  
254-299-2047

Lead Teacher: Nathan Jones

### ***La Vega Primary School***

4400 Harrison  
Bellmead, Texas 76705  
254-299-6730  
254-799-1369 Fax

Principal: Lisa Seawright  
Asst. Principal: LeAnn Ermis  
Asst. Principal: Kristan Johnson  
Counselor: Amy Winkleman

### ***La Vega Elementary School***

3100 Wheeler  
Bellmead, Texas 76705  
3100 Wheeler  
Bellmead, Texas 76705

Principal: Shaunte Scott Stewart  
Asst. Principal: Laura Klander  
Asst. Principal: James Whatley  
Asst. Principal: Brenda Sellers  
Counselor: Sonia Lopez  
Counselor: Brandy Stratton

### ***La Vega Intermediate School***

#### ***H. P. Miles Campus***

4201 Williams Rd.  
Bellmead, Texas 76705  
254-299-6780  
254-799-9738 Fax

Principal: Kristi Rizo  
Asst. Principal: Ryan Sparks  
Asst. Principal: Heather Franks  
Asst. Principal: Gina Matus  
Counselor: Nancy Muhammad

### ***La Vega Jr. High School***

#### ***George Dixon Campus***

4401 Orchard Lane  
Bellmead, Texas 76705  
254-299-6790  
254-799-8943 Fax

Principal: Ginny Ellis  
Asst. Principal: Blake Maxwell  
Asst. Principal: Adam Woods  
Counselor: Amber Lewis

### ***La Vega High School***

555 N. Loop 340  
Bellmead, Texas 76705  
254-299-6820  
254-799-0720 Fax  
254-799-9944 Band Hall  
254-799-0729 NJROTC  
254-799-4248 Field House

Principal: James Villa  
Cohort Asst. Principal: Chris Ward,  
Corey McAdams, Maurea Crain, Todd Durham  
Counselor: Patrick Shade  
Counselor: Maria Grmela  
College, Career &  
Military Advisor: Latisha Watson

### ***Early College/High School***

254-299-6821

Dean of Advanced Studies: Jeanne Gravitt  
Counselor: Sal Acosta

## La Vega Pirates Education Foundation

The mission of the La Vega Pirates Education Foundation is generate and distribute resources to support creative and innovative programs that will enhance the quality of educational programs provided to our students in La Vega ISD.

The purpose of the La Vega Pirates Education Foundation is to solicit, manage and distribute supplemental funds for educational purposes in program areas that may not or cannot be funded by the District. Funding is supplemental and does not replace or alter use of tax-based revenue. Donations are received from individuals, corporations and other foundations to fund educational programs and projects that are in alignment with the school district's strategic plan and to grow an Endowment Fund.

The Foundation supports student academic achievement, teacher appreciation, student scholarships, education grants and district initiatives.

For more information, contact Foundation Director, Ms. Allison Vrana. You can also visit the website. <https://www.lavegaisd.org/community/pirates-education-foundation>

## Employment

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### Equal Employment Opportunity

*Policies DAA, DIA*

In its efforts to promote nondiscrimination and as required by law, La Vega 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 discriminating on the basis of sex in its educational programs or activities. The prohibition against discrimination extends to employment. Inquiries about the application of Title IX may be referred to the district's Title IX coordinator, to the Asst. Secretary for Civil Rights of the Department of Education, or both.

The district designates and authorized the following employee as the Title IX coordinator for employees to address concerns or inquires regarding discrimination based on sex, including sexual harassment: Dr. Peggy Johnson, Executive Director of Bilingual Education & Special Programs, 400 E. Loop 340, Waco, TX 76705, [peggy.johnson@lavegaisd.org](mailto:peggy.johnson@lavegaisd.org), 254-299-6700.

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 authorized the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Angela Ward, Executive Director of Special Education, Assessment, & Student Support, 901 Maxfield, Waco, TX 76705, [angela.ward@lavegaisd.org](mailto:angela.ward@lavegaisd.org), 254-299-6750.

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

## **Job Vacancy Announcements**

### *Policy DC*

To the extent possible, announcements of job vacancies by position and location are posted online on a regular basis and posted at the central administration building. You can also visit our website at [www.lavegaisd.org](http://www.lavegaisd.org) for current vacancies.

## **Employment after Retirement**

### *Policy DC*

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

## **Contract and Noncontract Employment**

### *Policy DC series*

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

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

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

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

**Noncertified Professional and Administrative Employees.** Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are employed by a Chapter 21 probationary or term contract.

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

## **Certification and Licenses**

*Policies DBA, DF*

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

A certified employee's contract may be voided without Chapter 21 due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact Deborah Ray at 299-6709 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 the Personnel Dept. if you have any questions regarding reverification of employment authorization. Failure to verify employment authorization may result in termination.

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

*Policy CQ, DHE*

Noninvestigatory searches in the workplace including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the district reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if

the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, and work areas including technology resources, lockers, and private vehicles parked on district premises or work sites or used in district business. Disciplinary action, up to and including termination, may result if an employee refuses to submit to testing or is found to violate district policy.

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

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

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

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Todd Gooden, Deputy Superintendent for Personnel and Administration.

## **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 Personnel Department annually.

## **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. An online internal application must be completed for the position available by the employee. The supervisor shall complete an online position change for the transfer. 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 Personnel office and must be approved by the receiving supervisor.

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

## **Workload and Work Schedules**

*Policies DEAB, DK, DL*

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

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

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

## **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 Todd Gooden, Deputy Superintendent for Personnel and Administration.

### **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 Todd Gooden, Deputy Superintendent for Personnel and Administration to begin the interactive process.

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

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notice under ESSA is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call Deborah Ray at 299-6709.

### **Outside Employment and Tutoring**

*Policy DBD*

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

### **Performance Evaluation**

*Policy DN series*

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

district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a printed copy of their online 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 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.

### **Auxiliary and Paraprofessional employees**

Each auxiliary and paraprofessional employee shall be evaluated using the standard District *Performance Evaluation* form and the job description for the position assigned.

Evaluations should be completed prior to May 1st of each school year.

### **Certified Teachers and Principals**

Each certified teacher shall be evaluated using the Texas Teacher Evaluation and Support System (T-TESS). Principals shall be evaluated using the Texas Principal Evaluation and Support System (T-PESS).

**Appraisers.** Campus administrators will serve as the appraisers for their respective campuses. All campus administrators will be appropriately certified and trained. All appraisers will be approved by the Board of Trustees annually. The following individuals were approved as appraisers for the upcoming school year:

#### Administration

Dr. Sharon M. Shields  
Todd Gooden  
Dr. Charla Rudd  
Dr. Peggy Johnson  
Sandra Gibson

#### LVPS

Lisa Seawright  
LeAnn Ermis  
Kristan Johnson

#### LVE

Dr. Shaunte Scott  
Laura Klander  
James Whatley  
Brenda Sellers

#### LVIS-HPM

Kristi Rizo  
Ryan Sparks  
Heather Franks

#### LVJH-GDC

Ginny Ellis  
Adam Woods  
Blake Maxwell

#### LVHS/ECHS

James Villa  
Chris Ward  
Corey McAdams  
Maurea Crain  
Todd Durham  
Jeanne Gravitt  
Mari Keller

**Appraisal Instrument.** Appraisal Instrument. Appraisals will be conducted utilizing the following documents and procedures as outlined in TEA guidelines:

- Teacher Self-Assessment
- Observation
- T-TESS Rubric
- Intervention Plan for Teacher in Need of Assistance

**Appraisal Procedures.** Appraisals of professional teaching personnel in the District will be conducted a minimum of once per semester.

## **2023-24 T-TESS Calendar**

<b>Deadline for teacher orientation</b> <i>(Walk-throughs may begin immediately after orientation date)</i>	August 25, 2023
<b>Campus Calibration Domain 3</b>	August 28-31, 2023
<b>Deadline for goal setting conferences: <i>(All teachers)</i></b>	September 8, 2023
<b>Deadline for Part I of goal setting form</b>	September 8, 2023
<b>Deadline for TSP for Teachers completing SLO's</b>	September 8, 2023
<b>Formal observations begin</b>	September 11, 2023
<b>Campus Calibration Domain 2</b>	October 16-18, 2023
<b>SLO Artifact Review</b>	October 18, 2023
<b>Deadline for completion of formal observations</b> <i>(Probationary teachers and TINA)</i>	November 16, 2023
<b>SLO Artifact Review</b>	January 9, 2024
<b>EOY conferences begin: <i>(All teachers)</i></b>	February 19, 2024
<b>Deadline for completion of formal observations And EOY conferences (Teachers not on TINA)</b>	March 8, 2024
<b>TIA Designated Teacher Notification of Exit Deadline</b>	April 15, 2024
<b>Deadline for completion of formal observations And EOY conferences (for TINA)</b>	May 3, 2024
<b>Written Summative Report completed <u>after</u> EOY conference</b>  <i>(for teachers receiving formal observation)</i>	Released to teachers within ten (10) days <i>after</i> conference
<b>Final date to release Summative Report</b> <i>(for teachers receiving formal observation)</i>	May 10, 2024
<b>All evaluations and supporting documentation must be completed, signed, and in TalentEd on or before this date:</b>	May 17, 2024
<b>Formal T-TESS observations may <u>not</u> be conducted on the following days:</b>	
<ul style="list-style-type: none"><li>• During the two weeks following the day of completion of T-TESS orientation</li><li>• During administration of standardized tests</li><li>• On the days before and after a school holiday:</li></ul>	

**Appraisal Observations.** One appraisal observation, including second appraisals, shall be unscheduled.

**Second Appraisals.** A teacher may request a second appraisal by another appraiser as specified in the Texas Administrative Code Chapter 150. The request for a second appraisal must be made in writing to the Superintendent/or designee within ten (10) school days of the teacher's receipt of the first appraisal scores.

**Second Appraisers.** The Superintendent or designee shall designate the second appraiser from the list of approved T-TESS appraisers. If possible, the Superintendent or designee will designate a second appraiser who is a campus administrator at the same level (elementary or secondary) as the first appraiser.

**Second Appraisal Scores.** Once the second appraisal and observation summary have been completed, the scores from the first appraisal shall be combined with the scores from the second appraisal according to the following formula:

- a. First appraisal shall equal 60% of the total points for each domain criteria.
- b. Second appraisal shall equal 40% of the total points for each domain criteria.
- c. The combined weighted percentages shall be added for a total score for each domain criteria.
- d. The scores for all domains shall be added to determine the total appraisal points.
- e. The total appraisal points will be applied to the domain rating scale indicated for that domain to determine the teacher's domain rating (i.e., Dist, Acc, Prof, Dev, Imp N)

**Teacher in Need of Assistance.** A teacher whose performance meets any of the following will be designated as a "teacher in need of assistance":

- a. A teacher who is evaluated as improvement needed in one or more domains; or
- b. A teacher who is evaluated as developing in two or more domains.

When a teacher is designated as a "teacher in need of assistance," the appraiser and/or the teacher's supervisor shall, in consultation with the teacher, develop an intervention plan. In cases when the teacher's appraiser is not the teacher's principal, the principal shall be involved in the development and evaluation of the intervention plan.

**Student Performance.** Every teacher must be evaluated each year and the teacher's appraisal must include "...the performance of teachers' students." [Texas Education Code §21.351(a) (2)] La Vega Primary School does not receive an independent Campus Performance Rating because the campus does not serve grade levels, which participate in the Texas Assessment of Academic Skills (STAAR) testing. For the purposes of accountability,

La Vega Primary School, which serves as a feeder school, has been paired with La Vega Elementary. Therefore, the Campus Performance Rating for La Vega Primary School will be the same as the Campus Performance Rating for La Vega Elementary.

## **Employee Involvement**

*Policies BQA, BQB*

At both the campus and district levels, La Vega 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 office of Instructional Services at 299-6700.

## **Staff Development**

*Policy DMA*

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

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

# Compensation and Benefits

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## Salaries, Wages, and Stipends

*Policies DEA, DEAA, DEAB*

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

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

Employees should contact Gail Souders or Deborah Ray for more information about the district's pay schedules or their own pay.

## Paychecks

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

Semi-monthly paychecks will be distributed on or before the 10th day of each month. Monthly paychecks will be distributed on or before the 22nd day of each month.

## Automatic Payroll Deposit

Most employees are required to have their paychecks electronically deposited into a designated account and will receive a copy of their wage & earning statement on payday. Child Nutrition, Maintenance, and custodial employees will receive a printed check since most do not have district email. Contact Gail Souders at 299-6700 for more information about the automatic payroll deposit service.

## **Payroll Deductions**

### *Policy CFEA*

The district is required to make the following automatic payroll deductions:

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations and other elected programs and/or services. 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.

## **Overtime Compensation**

### *Policies DEAB, DEC*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. A nonexempt employee who works overtime without prior approval will be subject to disciplinary action up to and including termination.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule.. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Monday and ends at 12:00 p.m. Sunday.

Nonexempt employees that are paid on a salary basis are paid for the hours set by the normal work schedule. Hours worked beyond the normal schedule up to 40 hours will be paid at a regular rate of pay. Nonexempt employees are not authorized to work beyond their normal work schedule without written advance approval from their supervisor.

For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Monday and ends at 12:00 p.m. Sunday. This is the most common practice in Districts. Employees may be compensated for overtime with direct pay at time-and-a-half rates. All nonexempt employees are required to utilize the time clock for the purpose of documenting hours worked. Repeated failure to appropriately utilize the time clock may result in disciplinary action, including termination.



## **Travel Expense Reimbursement**

*Policy DEE*

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

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

*Policy CRD*

Group health insurance coverage is provided through TRS-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 at least 10 or more 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 Gail Souders for more information.

## **Supplemental Insurance Benefits**

*Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for life insurance, dental, disability, cancer, critical illness, vision, and accident and dread diseases. Premiums for these programs are paid by payroll deduction. Employees should contact Gail Souders for more information.

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

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

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

## **Workers' Compensation Insurance**

*Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Creative Risk Solutions.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to Gail Souders. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits* for information on use of paid leave for such absences.

## **Unemployment Compensation Insurance**

*Policy CRF*

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

## **Teacher Retirement**

*Policy DEG*

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitute's 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 Gail Souders as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web ([www.trs.texas.gov](http://www.trs.texas.gov)).

## **Other Benefit Programs**

### **Deferred Compensation Plan, Section 457**

Deferred Compensation, Section 457 of the IRS code is the retirement plan for part-time employees that work less than 20 hours a week. A deduction will be made from each paycheck to contribute to this plan. Funds that are deposited can be withdrawn 13 months after termination from the District.

### **Tax-sheltered Annuities**

Employees may choose to tax shelter a portion of their paycheck for the purchase of annuities or for contributions to any type of investment as authorized in Section 403(b) of the IRS Code. For a listing of agents and products, call Gail Souders at 299-6712.

### **Free Athletic Passes**

District employees shall be admitted free to all home athletic events along with one additional guest.

### **AT&T Discount Program**

Employees can receive a discounted rate for mobile phones. Contact Gail Souders for more information at 299-6712.

### **Gold's Gym – Health & Wellness Program**

Employees can join for a discounted rate of \$24.99/month with no enrollment fee. Family members can also be added for an additional \$24.99/month. This membership allows you to go to any Gold's Gym in the state of Texas. You can also use the express gyms with this package.

*A one-year commitment is required and monthly dues are payroll deducted.*

### **Planet Fitness**

Employees can join for a rate of \$9.99/month or \$24.99/month with no enrollment fee.

### **The Center for Children & Families**

Employees are eligible for five (5) free visits per 12-month period for employee or family counseling services. The center is located at 5207 Lake Shore Drive, Suite B, Waco, TX 76710. Call 254-772-8055 for an appointment or schedule online <https://www.children-families.com/>

### **Community Loan Program**

The Community Loan Center is available to all La Vega ISD employees who have worked with us for a least 3 months & who are eligible for benefits and who have a bank account (loan proceeds will be direct-deposited). No credit check is required and your credit score is not a factor.

CLC loans are made directly to La Vega ISD employees by the local nonprofit, the Community Loan Center of the Heart of Texas, administered by the Heart of Texas Goodwill Industries, Inc.

You may borrow for up to half of your gross monthly income (1,000 maximum). The interest rate on this loan is 18% and there is a \$20 origination fee that is financed into your loan payments. You may repay your loan over one year through payroll deduction. Visit [www.clchot.org](http://www.clchot.org) to complete the loan application. If you have questions, contact Gail Souders, at 254-299-6712.

# Leaves and Absences

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## *Policies DEC, DECA, DECB*

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

### **To report an absence using Smart Find Express:**

- Call– 870-2477 or visit the website at [lavega.eschoolsolutions.com](http://lavega.eschoolsolutions.com)
- Enter employee number followed by pin number
- Date and time of absence
- Reason for absence
- Request substitute or opt for No Sub Required
- Special instructions for substitute
- Receive a job number to **confirm** absence has been reported. Always give job number to secretary and/or write job number on time sheet if applicable.
- Call HELP DESK# 299-6700 if you need assistance completing this process

A substitute cannot be called if the system is not called in time to locate a substitute. Here's how the system works when calling for a substitute:

- An employee can call Smart Find Express system to report an absence or complete the process online at [lavega.eschoolsolutions.com](http://lavega.eschoolsolutions.com)
- An absence is reported and receives a job number
- The Smart Find Express system searches its listings and finds the appropriate substitute for the job
- During the morning or evening calling period, Smart Find Express places a call to the substitute
- The substitute enters their personal identification number and the Substitute system narrator recites the job information
- The substitute accepts or declines the job. If accepted the substitute is given the job number to use when reporting to the location

For complete instructions in calling the Absence Reporting system; refer to the quick reference card that was distributed to all employees.

Paid leave must be used in half-day or full 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
- State Personal

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 three (3) consecutive days without notice is considered to have abandoned their job and may face disciplinary consequences up to and including termination.

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

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

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

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

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

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law.

To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. ‘Genetic information,’ as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

**Continuation of Health Insurance.** Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave. Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee’s unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

## **Personal Leave**

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

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

**Discretionary.** Leave taken at an employee’s discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor five (5) days in advance of the anticipated absence. The effect of the employee’s absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

- a maximum of 5% of the campus employees in each job category will be permitted to take discretionary personal leave at the same time.
- discretionary leave shall not exceed more than three (3) consecutive workdays, except with special approval for extenuating circumstances from the superintendent.

- discretionary leave may not be taken on the following key days:
  - the day before a school holiday;
  - the day after a school holiday;
  - days scheduled for end-of-semester or end-of-year exams;
  - days scheduled for STAAR tests;
  - professional or staff development days; or
  - the first and last week of the school year.

**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 & local 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 & local leave the employee used beyond his or her pro rata entitlement for the school year.

## **State Sick Leave**

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

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

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

## **Local Leave**

The District provides additional local leave for all professional, paraprofessional, and auxiliary personnel. All employees shall earn local leave days at a rate of one-half local leave day for each 18 workdays of employment, up to a maximum of five (5) local leave days per employment year.

Local leave shall accumulate without limit and shall be taken with no loss of pay. Employees may use local leave for first-year care following the birth or adoption of their son or daughter or the placement of a child with the employee for foster care.



Employees who retire from La Vega ISD may be eligible to be compensated for their unused local and state leave days. Compensation shall be \$100 for each unused day of local and state leave, not to exceed a maximum of eighty (80) days in total. The one-time maximum benefit to an employee shall be administered as follows:

The following guidelines shall apply:

1. An eligible employee is defined as one who is eligible to retire and receive a standard annuity that is not reduced for early retirement under the TRS Program. If an employee meets the criteria to retire under TRS and another state system, and elects the other retirement system, the employee is eligible for reimbursement of earned accumulated leave upon retirement.
2. The employee's separation from employment is voluntary, i.e., the employee is retiring and is not being discharged, terminated, or non-renewed.
3. The employee retires at the end of the school year (for instructional related staff), unless required to retire due to medical necessity as detailed below.
4. Employees must provide written notification of retirement to human resources by the last Friday in April of the given year, and use 2 or fewer leave days between that date and the end of their contract, unless otherwise approved by his/her supervisor and the Deputy Superintendent.
5. Maximum benefits shall only be paid to employees who have been employed by the District for ten (10) years prior to retirement. Employees who have been employed five to nine years may draw 50 percent to 90 percent of the maximum benefit, respectively.
6. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.
7. If an employee dies after he or she becomes eligible for payment for leave upon retirement, the District shall provide the payment to the beneficiary listed on the employee's life insurance policy provided by the District. If no beneficiary is named, payment shall be made to the designated representative of the employee's estate.
8. Those employed by La Vega ISD prior to July 1, 2023 are grandfathered into a hybrid model that will pay \$25 for all days above eighty (80) with no limit.

An eligible employee who has not completed a full academic year as identified by the current school calendar or completed his or her annual work calendar because of medical conditions certified in writing by a physician shall be paid for his or her accumulated leave balance.

<sup>1</sup> Only state days earned while employed consecutively with La Vega ISD are eligible for retirement payout benefit.

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

### *Policy DEC*

A sick leave pool may be established from voluntary donations by District staff to assist a fellow employee absent due to personal illness or disability or that of the employee's spouse, child, or parent. Eligibility criteria for FML will be observed for qualification of the sick leave pool. The following general guidelines shall govern the sick leave pool:

The requesting employee shall:

- have been employed in the full-time capacity for a minimum of one year;
- have a personal illness or disability;
- submit a medical certification form completed by the employee's physician to the personnel office;
- have utilized all state sick leave, local leave, and state personal leave;
- have completed a Request for Sick Leave Pool form and submitted the form to the personnel office while still on leave for the illness/disability for which the pool is being requested; and
- provide written authorization to release his/her name and general information relating to the request for the sick leave pool.

The donating employee shall:

- be a full-time employee;
- have earned state personal days to donate;
- have completed a Donation for Sick Leave Pool form and submitted the form to the personnel office.

Each donating employee shall be allowed a maximum donation of two state personal days per sick leave pool. Leave donations shall be accepted in full days only. No half-days shall be accepted.

There shall be no limit to the number of sick leave pools an employee may request in one year. The calendar for the sick leave pool year shall begin July 1 and end June 30 each year. Each sick leave pool shall be limited to a maximum of thirty donated days. Donations shall be accepted in the order received. All donation forms received after the maximum amount has been reached shall be returned to the donating employee.

In the event an employee who receives a sick leave pool does not utilize all the donated days, the donating employees' names shall be placed in a drawing once per each day donated for a maximum of two entries in the drawing. Based on the number of days remaining in the sick leave pool, the Asst. Superintendent of Personnel & Administration shall draw name/names for each of the remaining days. When the donating employee's name is drawn, the donating employee shall be credited with the day of leave originally donated.

Local leave days shall not be eligible for donation.

The donation period for each sick leave pool shall be ten business days from the date the sick leave request is posted. The donation request for sick leave pool shall be posted at each campus and department in the District.

### **Non-duty days**

The District provides additional non-paid days for employees that work year round and do not receive paid vacation. Employees eligible for non-duty days are in positions assigned to work 221 days per year (July 1 through June 30). Non-duty days shall be available for use throughout the year, subject to the conditions below.

Non-duty days shall be taken in half-day and full-day increments.

Non-duty days shall not be cumulative. Any non-duty days remaining on June 30 shall be forfeited by the employee unless prior written approval by the Superintendent. A maximum of five (5) days may be carried over if approved but must be used by July 31 of the same year.

### **Vacation**

#### *Policy DED*

“Vacation” is defined as the total number of workdays in the District calendar year less the employee’s number of workdays.

Employees eligible for vacation leave are non-exempt (hourly) employees in positions assigned to work 252 days per year may earn a maximum of ten (10) days of vacation leave each calendar year (July 1 through June 30), which shall be prorated in the event the employee does not fill the position for the full 12-month period. One (1) day of vacation leave shall be awarded for every 24 days worked. Employees who have ten or more years of continuous service with the district shall earn ten days of vacation leave each calendar year, plus one additional day for each year of service beyond ten years, up to a maximum of twenty (20) days per year.

Vacation days that will be earned for the current year shall be available for use throughout the year, subject to the conditions below:

Vacation leave shall be taken in half-day and full-day increments.

Vacation leave shall not be cumulative. Any vacation leave days remaining on June 30 shall be forfeited by the employee.

Vacation leave shall be considered discretionary leave. Employees must submit a notice of the request to take vacation leave five (5) working days in advance of the anticipated absence to his/her immediate supervisor.

Vacation leave shall be granted on a first-come, first served basis and will be subject to the following limitations unless otherwise approved by the Superintendent.

Vacation leave may not be taken on the following key days:

- the day before a school holiday;
- the day after a school holiday; or
- the first and last week of the instructional school year.

Vacation leave may be taken for an employee's personal illness or illness/death in the employee's immediate family (as defined in Policy DEC) if the employee has exhausted all available state sick leave, state personal leave, and local leave.

Vacation days shall not be cumulative and cannot be carried over from year to year. They must be used by June 30<sup>th</sup> of each year or forfeited by the employee.

### **School Business**

This leave is not deducted from the employee's paid leave (i.e., state sick leave, local leave, or personal state leave) if the employee has obtained prior approval for the school business activity from their supervisor. School Business must also be reported to the Smart Find Express system.

Employees attending staff development or training on a paid duty day may not receive or accept any form of compensation for attending the training from the entity providing the training. If an employee wants to receive the outside compensation, the employee will be required to take personal leave day(s).

## Family and Medical Leave (FML)—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 FML 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 service member.

An eligible employee who is the spouse, child, parent or next of kin of a covered service member 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 service member.

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

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

### Am I eligible to take FMLA leave?

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

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and

- Your employer has at least 50 employees within 75 miles of your work location

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

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

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

### **How do I request FMLA leave?**

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

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

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

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

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

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

### **What does my employer need to do?**

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

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and

- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

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

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

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

### Where can I find more information?

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

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



## Local Procedures for Implementing Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period 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.** Spouses who are employed by the district are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

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

**Fitness for Duty.** An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. When leave is taken for the employee's own serious health condition, the

certification must address the employee's ability to perform essential job functions. The district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider. Fitness for duty is not required when an employee returns to work following leave to care for a family member with a serious health condition; to care for a child following birth, adoption, or foster care placement; or for qualifying exigency leave.

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

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

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

**District Contact.** Employees that require FML or have questions should contact Gail Souders at (254) 299-6712 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, Gail Souders and the direct supervisor 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.

**Non-educators.** The maximum length of temporary disability leave for non-educators shall be 30 calendar days. Medical certification shall be required to determine eligibility for temporary disability leave. Non-educators are only eligible for temporary disability leave once all other paid leave has been exhausted. During the leave period, the employee's health insurance benefits shall be maintained at the same level provided prior to the leave period.

At the conclusion of the leave period, if the employee is able to return to work, the employee shall be placed in the first available position for which he or she is eligible. If the employee is not able to return to work at the conclusion of the leave period, employment with the District shall be terminated.

Employees may be required to provide the following:

- medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member.
- second or third medical opinions and periodic recertification of the need for leave.
- periodic reports during the leave regarding the employee's status and intent to return to work.
- medical certification from a qualified health care provider at the conclusion of leave of an employee's ability to perform the essential job functions.
- certification of the need for family military leave

Employees requiring family and medical leave should contact the personnel department for details on eligibility, requirements, and limitations.

### **Duties while on leave**

Employees on any type of leave **are not allowed** to perform any duties while on leave. This includes extra duties, i.e. coaching duties, ticket sales, etc.

## **Workers' Compensation Benefits**

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

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use 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.

## **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 Todd Gooden, Deputy Supt. for Personnel and Administration.

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

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

## **Bereavement Leave**

Use of state and/or local leave for death in the immediate family shall not exceed five workdays per occurrence, subject to the approval of the Superintendent. In the event there is a death in the immediate family and all leave has been used, two additional days shall be granted locally.

## **Jury Duty**

*Policies DEC, DG*

The district provides paid leave to employees who are summoned to jury duty including service on a grand jury. The district will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States.

Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the district a copy of the summons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. The supervisor may consider the travel time required and the nature of the individual's position when determining the need to report to work. Employees are required to return to work from jury duty if more than 50% of the employee's normal daily scheduled hours remain or if the jury duty occurs outside of the employee's normal work hours.

A copy of the release from jury duty or documentation of time spent at the court will be required.

Employees will receive paid leave and without loss of accumulated leave for jury duty if they do the following:

1. Send proof of jury duty form to the personnel office. The court will not automatically provide proof of jury duty service. The employee should ask the court clerk for a document indicating proof of jury duty service.
2. The proof of jury duty service must include the time of service (i.e., 8:00am to 10:00am).

Failure to provide proof of jury duty service, including time served, will result in loss of pay or a deduction from the employee's personal leave.

## **Compliance with a Subpoena**

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

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

## **Religious Observance**

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

## **Military Leave**

**Paid Leave for Military Service.** Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to 15 days of paid leave per fiscal year when engaged in authorized training or duty ordered 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 Gail Souders. 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 Gail Souders for details on eligibility, requirements, and limitations.

## **Mental Health Leave for Peace Officers and Licensed Telecommunicators**

*DEC (Local)*

A full-time district employed licensed police officer who regularly serves in a law enforcement capacity in a district police department is entitled to a paid leave of absence (LOA) for an illness or injury related to the person's line of duty. If necessary, the leave shall continue for at least one year.

If unable to return to work at the end of the paid leave and any extension, a police officer may use accumulated sick, vacation, and other accrued leave before being placed on unpaid temporary leave. At the end of temporary leave, the police officer will be reinstated at the same rank and with the same seniority the person had before going on temporary leave.

### **Mental Health Leave**

A District peace officer who experiences a traumatic event in the scope of employment shall be granted a maximum of five days of mental health leave per traumatic event. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The Superintendent shall develop regulations regarding mental health leave that address the following:

1. Circumstances or reasons under which a peace officer may use mental health leave;
2. Procedures for requesting mental health leave and maintaining the anonymity of the requestor;
3. The administrator authorized to approve requests for mental health leave; and
4. Other procedures deemed necessary for administering this provision.

### **Quarantine Leave**

A District peace officer shall be granted quarantine leave when ordered by the local health authority or the peace officer's supervisor to quarantine or isolate due to possible or known exposure to a communicable disease while on duty. Such leave shall be provided in accordance with administrative regulations and shall not be deducted from the employee's pay or leave balance.

The Superintendent shall develop regulations regarding quarantine leave that address the following:

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement for reasonable costs related to the quarantine; and
3. Other procedures deemed necessary for administering this provision. FMLA leave shall

### **Reimbursement of Accumulated Leave Upon Retirement**

*DEC (Local)*

Unused leave days such as local, state, and personal days will be paid at a rate of \$25.00 per day upon retirement to those who qualify.

An employee who separates from employment with the District shall be eligible for reimbursement of state and local leave if the employee's separation from employment is voluntary, i.e., the employee is retiring and is not being discharged or nonrenewed.

An employee who has five or more years of service in the district shall be eligible for reimbursement of each day of accumulated state and local leave.

An employee who has less than five years of service with the District shall be eligible for reimbursement of each day of accumulated state and local leave earned while employed by the District.

The employee shall be reimbursed for each day of state and local leave at a rate established by the Board. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee.

The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

# Employee Relations and Communications

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## Employee Recognition and Appreciation

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

## District Communications

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

Bellmead Bulletin – Joint publication for La Vega ISD and the Bellmead Chamber of Commerce

Monthly calendar of events – An online calendar of district-wide events for staff, community, and media

The Pirate Post – District newsletter – on-line and printed

For more information, visit our website at [www.lavegaisd.org](http://www.lavegaisd.org) and La Vega ISD Facebook or join us on Twitter

# Complaints and Grievances

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## *Policy DGBA*

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

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. For ease of reference, the district's policy concerning the process of bringing concerns and complaints is found on the district website under Board Policy DGBA(LOCAL).

### **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 provided below:

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 materials shall be submitted in accordance with EFA.
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.

## **Guiding Principles Informal Process**

The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

## **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**

If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.

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.

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.

## **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. Timelines 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. Complaints alleging a violation of law by the Superintendent may be made directly to the Board or designee.



## **General Provisions Filing**

Complaint forms and appeal notices may be filed by hand-delivery, fax, or 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. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked 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.

## **Response**

At Levels One and Two, “response” shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered 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 timelines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”

## **Representative**

“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.

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.

## **Consolidating Complaints**

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

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.

## **Untimely Filings**

All time limits shall be strictly followed unless modified by mutual written consent.

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.

## **Costs Incurred**

Each party shall pay its own costs incurred in the course of the complaint.

## **Complaint Form**

Complaints under this policy shall be submitted in writing on a form provided by the District.

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.

A complaint form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing a complaint.

## **Audio Recordings**

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.

## **Level One**

Complaint forms must be filed:

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.

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.

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.

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.

The appropriate administrator shall investigate as necessary and hold a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

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 hold a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues presented by the employee at Level One and identified in the Level Two appeal notice. 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.

## **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.

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 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.

# Employee Conduct and Welfare

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## Standards of Conduct

### *Policy DH*

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

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

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

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

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

### **Purpose & Scope**

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

### **Enforceable Standards**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **2. Ethical Conduct toward Professional Colleagues**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Dress and Grooming Standards**

All District employees shall adhere to all dress and grooming standards during regular school business hours (including staff development/workdays/open house/parent meetings) and while attending and acting in an official capacity at school-related activities or events. It is expected that employees be neat, clean, and dressed in compliance with District standards.

Additionally, when employees are attending professional activities out-of-the-District, employees should pay extra attention to their dress and grooming to ensure that they promote a positive, professional image of the District.

There are specific dress and grooming standards for male and female employees, with the exception of maintenance, custodial, food service, and technology. Maintenance, custodial, food service, and technology employees shall adhere to their respective uniform requirements.



Supervisors and administrators will use their professional judgment to monitor employee dress and grooming. The standards outlined below are not intended to be exhaustive; therefore, the District will rely on the professional judgment of supervisors and administrators to identify any other types of dress and grooming that may be inappropriate.

On the first serious violation, the supervisor/administrator will allot a reasonable amount of time to allow the contract employee to go home and change without penalty. However, should the contract employee have any subsequent serious violations which require the employee to miss duty time, the loss of time will count against available leave. Non-contract employees will be required to clock out anytime they are sent home in order to return to compliance. Continued violations of the employee dress and grooming standards may result in more serious employment action, up to and including termination.

Any exceptions to the District's dress and grooming standards, such as requests for special spirit days, etc., shall be approved by the Superintendent. A written request to grant an exception must be submitted to the Superintendent PRIOR to the date on which the exception is being requested. Written confirmation from the Superintendent will be provided if the exception is approved.

The La Vega Education Foundation sponsors a program where an employee may make a contribution to the Foundation in order to be able to wear jeans daily. For more information regarding this opportunity, contact your supervisor or Allison Vrana, Ex. Director for the Education Foundation.

An employee may request a medical exception to the dress and grooming standards. Such requests will be considered on an individual employee basis. Requesting employees shall be required to submit written documentation from their physician to the Personnel Office PRIOR to receiving a medical exception. The employee shall receive written notification indicating the approval or disapproval of a requested medical exception.

The LVISD Employee Dress and Grooming Standards will be reviewed annually, and updated as appropriate, as a part of the annual update/revision of the LVISD Employee Handbook.

## DRESS STANDARDS FOR FEMALE EMPLOYEES:

Pants	<p>Must not be too tight or form fitting Must not have any rips, tears, holes, or frayed edges No knit/jersey-type leggings No overalls No cargo pants No spandex or lycra tights or pants Jeans (blue or colored) are permitted on designated spirit days with designated school spirit shirts only. This includes cropped pants.</p> <p><b>Cropped pants may be worn if they meet the following standards:</b> Length must at least mid-calf Must be tailored; not form fitting Must not have any rips, tears, holes, or frayed edges No knit/jersey, spandex or lycra material Denim cropped pants (blue or colored) are only permitted on designated spirit days with designated school spirit shirts only.</p>
Sweat suits	Not allowed
Shorts, Windsuits & Warm-ups	<p>Allowed only for PE teachers/coaches Must be school designated/approved Shorts are allowed only for PE coaching activities and are <b>NOT</b> permissible in the classroom, office areas, cafeteria/commons area, etc.</p>
Walking Shorts & Skorts	<p>No higher than badge length (approx. 3 inches) above the knee Must wear matching jacket, sweater, or vest No bibbed shortalls or overall shorts Allowed for food service employees without a matching jacket, sweater or vest as long as the length requirement is met</p>
Scrubs	Allowed for nurses, nurse's aides, teachers, and instructional aides working in self-contained special education classrooms
Shirts, Tops, Blouses	<p>Must not be tight, low cut, or revealing Must not be see-through No bare midriffs No tank top, halter style or spaghetti strap style tops are allowed Appropriate undergarments must be worn and should not be visible No T-shirts with advertisements/slogans of any kind PE teachers/coaches may only wear t-shirts provided by District T-shirts with school/holiday motifs may be worn on designated spirit days only</p>

- Dresses & Skirts    Must not be too snug or tight  
 Dresses must not be low-cut or revealing  
 No tank top, halter style or spaghetti strap style dresses are allowed  
 No higher than badge length (approx. 3 inches) above the knee  
 No slits higher than badge length (approx. 3 inches) above the knee  
 Appropriate undergarments must be worn and should not be visible
- Shoes No thong or thong-styled shoes  
**NO FLIP FLOPS**, shower shoes, or beach shoes  
 No house shoes of any type  
 Athletic shoes (e.g., Nike, Reebok, etc.) may be worn on designated  
     spirit days with spirit shirt and jeans only  
 Canvas tennis shoes (e.g., Keds) are acceptable  
 Food service employees, nurses and nurse’s aides may wear  
     athletic shoes  
 Any shoes worn must have an appropriate sole/walking surface  
 No bare feet, shoes must be worn at all times
- Body Piercing Must not be visible  
 Must be removed or fully covered by clothing
- Tattoos                Employees are encouraged to make every effort to cover visible tattoos while  
 on duty. Tattoos deemed offensive or distracting by the campus principal or  
 department supervisor will be required to be covered at all times while on  
 duty.
- Hats                    Not allowed indoors

## DRESS STANDARDS FOR MALE EMPLOYEES

Pants	Must not be too tight or form fitting Must not have any rips, tears, holes, or frayed edges No overalls No cargo pants No spandex or lycra tights or pants Jeans (blue or colored) are permitted on designated spirit days with designated school spirit shirts only
Sweatsuits	Not allowed
Shorts, Windsuits & Warm-ups	Allowed only for PE teachers/coaches and food service employees Must be school designated/approved Shorts are allowed only for PE coaching activities and are <b>NOT</b> permissible in the classroom, office areas, cafeteria/commons area, etc.
Scrubs	Allowed for nurses, nurse's aides, teachers, and instructional aides working in self-contained special education classrooms
Shirts	Must have a collar Must not be tight or form-fitting Must not be see-through No tank tops or bare midriffs No sleeveless shirts No t-shirts with advertisements/slogans of any kind PE teachers/coaches may only wear t-shirts provided by District Shirts with a shirttail must be tucked in T-shirts with school/holiday motifs may be worn on designated spirit days only
Shoes	No thongs or thong-styled shoes No flip flops, shower shoes, or beach shoes No house shoes of any type Athletic shoes (e.g., Nike, Reebok, etc.) may be worn on designated spirit days with spirit shirt and jeans only Food service employees may wear athletic shoes Any shoes worn must have an appropriate sole/walking surface Canvas tennis shoes (e.g., Keds, Nike) or deck type shoes are acceptable No bare feet, shoes must be worn at all times
Earrings	Not allowed
Body Piercing	Must not be visible Must be removed or fully covered by clothing

Tattoos Employees are encouraged to make every effort to cover visible tattoos while on duty. Tattoos deemed offensive or distracting by the campus principal or department supervisor will be required to be covered at all times while on duty.

Fingernail Polish Not allowed for male employees

Hats Not allowed indoors

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

*Policies DH, DIA*

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

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

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

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

See *DIA Local* at [www.tasb.org/policy/pol/private/161906/](http://www.tasb.org/policy/pol/private/161906/) for definitions and procedures for reporting and investigating discrimination, harassment, and retaliation.

## Harassment of Students

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

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

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

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

### *DHB (Legal)*

"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:
  - a. The nature of the communications;
  - b. The timing of the communications;
  - c. The extent of the communications;
  - d. Whether the communications were made openly or secretly;
  - e. The extent that the educator attempts to conceal the communications;

- f. 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
  - g. 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)*

See (*FFH Local*) [www.tasb.org/policy/pol/private/161906/](http://www.tasb.org/policy/pol/private/161906/) for reporting and investigations of harassment of students

## **Reporting Suspected Child Abuse**

*Policies DHB, DG, GRA*

All employees with reasonable cause to believe that a child’s physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code 26.001, 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.txa-busehotline.org/Login/Default.aspx> or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

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

An employee's failure to report suspected child abuse 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 suspected child abuse may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

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

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

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

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed at [www.lavegaisd.org](http://www.lavegaisd.org). As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who has reasonable cause to believe that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect following the procedures described above in *Reporting Suspected Child Abuse*.



## **Reporting Crime**

### *Policies 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.

## **Technology Resources**

### *Policy CQ*

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

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

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

Employees are required to abide by the provisions of the 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 Justin Peebles, Director of Technology.

## **Personal Use of Electronic Communications**

### *Policy DH*

Electronic communications includes all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social

network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.

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

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

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

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

## **Electronic Communications between Employee, 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 phonenumber 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 communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes email, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.

*Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Communications*, above. Unsolicited contact from a student through electronic means is not a *communication*.

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

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
  - The employee shall include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;

The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or

- For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s district email address. The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of 10:00 p.m. and 7:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:

- Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
  - Copyright law [See Policy CY]
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DHI]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently enrolled students.
  - Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.
  - An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
  - All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district's record retention policy.
  - An employee shall notify his or 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. 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 whose information is found in 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 within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

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

Moral turpitude includes the following:

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

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

**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 DI*

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

<https://pol.tasb.org/Policy/search/861?filter=di>

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

*Policies DH, FNCD GKA*

State law prohibits smoking, using tobacco products, or e-cigarettes on all district-owned 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
- 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.

## **Conflict of Interest**

### *Policy CB, DBD*

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

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

Employees should contact their supervisor for additional information.

## **Gifts and Favors**

### *Policy DBD*

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks, electronic textbooks, instructional materials or technological equipment may result in



prosecution of a Class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials such as maps or worksheets that convey information to students or contribute to the learning process.

## **Copyrighted Materials**

### *Policy EFE*

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

## **Safety and Security**

### *Policy CK series*

The district has developed and promotes a comprehensive program to ensure the safety and security of its employees, students, and visitors. The safety and security program includes

guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See Emergencies on page 75 for additional information.

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

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

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

Employees will be required to enter each campus or department through metal detectors and comply with all LVISD Police Department requirements regarding the metal detectors.

Employees are strictly forbidden from propping open exterior doors or leaving any District exterior door unlocked. Employees are encouraged to be vigilant in detecting any potential safety issue and reporting any issue to campus security immediately. It is the responsibility of all employees to oversee the safety and security of our district facilities.

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 Superintendent.

## **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, parking garage, or other district provided parking area, provided the handgun or firearm is not loaded and 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 administration 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.

## **Employee children in the workplace**

Many of our employees have children that remain on campus **after** school has dismissed. This situation should not cause any problems, if employees follow these important guidelines:

- Children must be supervised at all times. It is the responsibility of the employee to ensure that his/her own children are supervised at all times. Employees may wish to join together to hire a babysitter for after-school care. If this is done, employees should work with their campus principals to determine the appropriate designated area where the children will stay.
- Children must stay in a designated area. They must not be permitted to roam the campus.
- Children may have an after-school snack/drink as long in the designated area, and they do not leave any messes.
- Children must not cause an interruption in any meetings or in any employee's (including the parent's) work responsibilities.

One of our top priorities is to maintain a safe, orderly environment for everyone. Your cooperation (and the cooperation of your children, if applicable) in following the guidelines outlined above is essential if we are to continue allowing employee children to remain on campus after school has dismissed.

Children of employees may not be on campus during regular school hours at any time (e.g., employee child is sick; employee child attends school in another district that is not in session that day, etc.) This is applicable district-wide and is not discretionary by campus. Remember, this is a place of employment.

## **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 at the Administration Building 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 areas of common access. 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.

## **Identification Badges**

All LVISD employees including substitutes and tutors are required to wear a District-issued identification badge while on school property or while at school-related or school-sponsored events while employees are on duty.

**Badges are to be worn properly and must be visible at all times while on school property.**

# General Procedures

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## 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 make an announcement and notify the following radio and television stations; as well as posting on our website and social media platforms.

KCEN TV - Channel 6  
KWTX - TV Channel 10  
KXXV TV - Channel 25

Radio 1230 AM (NewsTalk)

Radio 92.9 FM  
Radio 95.7 FM  
Radio 97.5 FM  
Radio 99.9 FM (WACO 100)  
Radio 102.5 FM

Students, staff, and parents should listen for these announcements between 6 a.m. and 8 a.m. during the period of inclement weather. Announcements will also be made on the District's website, Facebook page, and Twitter account.

## 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.

In the event of an emergency employees will be notified by the LVISD Campus Administrators.

## **Purchasing Procedures**

### *Policy CH*

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

## **Name and Address Changes**

It is important that employment records be kept up to date. Employees must notify the Personnel Office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be found online in TalentEd Records – under blank docs.

## **Personnel Records**

### *Policy DBA, GBA*

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal email address is confidential and may not be released with the employee's permission

Employees may choose to have the following personal information withheld:

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

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to the Assistant Superintendent of Personnel & Administration. 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. The Assistant Superintendent of Personnel & Administration is responsible for scheduling the use of facilities after school hours. Contact Assistant Superintendent of Personnel & Administration to request to use school facilities and to obtain information on the fees charged.

# Termination of Employment

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## Resignations

*Policy DFE, DHB*

**Contract Employees.**Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the superintendent or other persons designated by the board of trustees, which includes Todd Gooden, Deputy Superintendent for Personnel and Administration. Supervisors who have not been designated by the board to accept resignations shall instruct the employee to submit the resignation to the superintendent, or other person designated by board action.

Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

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

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

## Dismissal or Nonrenewal of Contract Employees

*Policy DF Series, DHB*

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee.

The principal is required to notify the superintendent of an educator's termination within seven business days following an alleged incident of misconduct for any of the acts listed above in Reports to Texas Education Agency.

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*)

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

## **Discharge of Convicted Employees**

*Policy DF*

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

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

## **Exit Interviews and Procedures**

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

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

## Reports to Texas Education Agency

*Policies DF, DHB, DHC*

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

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

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

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

## Reports Concerning Court-Ordered Withholding

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

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

# Student Issues

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## Equal Educational Opportunities

*Policies FB, FFH*

In an effort to promote nondiscrimination and as required by law, La Vega 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 & 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 of students based on any of the reasons listed above should be directed to Todd Gooden, Deputy Superintendent for Personnel and Administration at 299-6700.

## Student Records

*Policy FL*

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

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

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

## Parent and Student Complaints

*Policy FNG*

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

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

## **Administering Medication to Students**

*Policy FFAC, FFAF*

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

## **Dietary Supplements**

*Policies DH, FFAC*

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

## **Psychotropic Drugs**

*Policy FFAC*

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

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

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

## **Student Conduct and Discipline**

*Policies in the FN series and FO series*

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

## **Student Attendance**

*Policy FEB*

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. Contact the campus principal for additional information.

## **Bullying**

*Policy FFI*

Bullying is defined by TEC37.0832. All employees are required to report student complaints of bullying, including cyberbullying to Todd Gooden, Deputy Superintendent for Personnel and Administration. The district's policy includes definitions and procedures for reporting and investigating bullying of students can be found in policy at the following link [www.tasb.org/policy/pol/private/161906/](http://www.tasb.org/policy/pol/private/161906/).

"Bullying":

1. Means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that satisfies the applicability requirements below and that:
  - a. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
  - b. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
  - c. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
  - d. Infringes on the rights of the victim at school; and
2. Includes cyberbullying.

"Cyberbullying" means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

## **Hazing**

### *Policy FNCC*

Students must have prior approval from the principal or designee for any type of “initiation rites” of a school club or organization. While most initiation rites are permissible, engaging in or permitting “hazing” is a criminal offense. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing, or has engaged in hazing must report that fact or suspicion to the designated campus administrator.

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