Welcome to School Year

2020-2021

Thank you to every educator for all of your hard work and dedication to our students and community.
We look forward to another successful school year!

Recognizing our American Veterans

Jay Viera,
United States Marines

Loraine N. Campos,
United States Army

Daniel Kafka,
United States Marines

A Moment of Silence





A Moment of Silence for Coronavirus Casualties

As of Monday, August 31, 2020

- United States
  - 183,000 casualties
  - 6.01 million cases
- Worldwide
  - 844,000 casualties
  - 25.1 million cases





EMPLOYEE HANDBOOK

Office of Human Resources

August 2020

Elizabeth A. Stenhouse

Dress and Grooming – pg. 8/9

1) **M/W** Dress in a clean, neat, and professional manner
2) **M/W** Serve as your students' role model for professional dress
3) **M/W** Jeans allowed on Fridays, field days, work days, and pre-designated days. Only with District/campus shirts/polos
4) **M/W** Jeans – no torn, faded, tight, low rise, saggy, or skinny jeans

Dress and Grooming – pg. 8/9

5) W No bare-back/strapless, off the shoulder blouses. Sleeveless tops must be work with jacket or sweater. Skirts/dresses must fall at the top part of the knee cap

6) M/W No thong-type sandals will be allowed

7) M Hair not longer than the top collar of your shirt/polo

Dress and Grooming – pg. 8/9

8) **M/W** No caps/hats unless on designated days

9) **M/W** No shorts unless on designated days and must be 2 inches above the knee. No running shorts (mid-thigh) allowed

10) **M** Shirts with tails must be tucked in

11) **M** No Earrings

Dress and Grooming – pg. 8/9

12) M/W Tattoos covered at all times

13) M/W Capri pants must reach mid-calf, no cargo pants

14) M/W No tight leggings, spandex, jeans, slacks, or skirts

15) M Slacks, buttoned shirts, polo/golf shirts, sweaters, ties, boots, dress/casual shoes

16) W Slacks, buttoned shirts, polo/golf shirts, sweaters, dresses, casual shoes, heels, sandals with straps

Professional Attire is required for Remote Learning

Certification – pg. 11

- Professional and paraprofessional certifications must be up to date. The Office of HR will assist in notifying you ahead of time via email as a reminder
- All other certifications/licenses (CPR, AED, driver licenses) must be up to date in your personnel file
- Educators attending an Alternative Certification Program (ACP) must be in contact regularly with the AC Program for complying with testing dates, obligations to the ACP

Notifications to Parents – pg. 14/15

- An annual required notice is posted on the website under the HR Dept. for the Notification to Parents of Highly Effective Educators
- Parents and the community may request the certification of an educator, administrator or paraprofessional in the District for verification under a Public Information Request (PIR)

Family Medical Leave – pg. 24-27

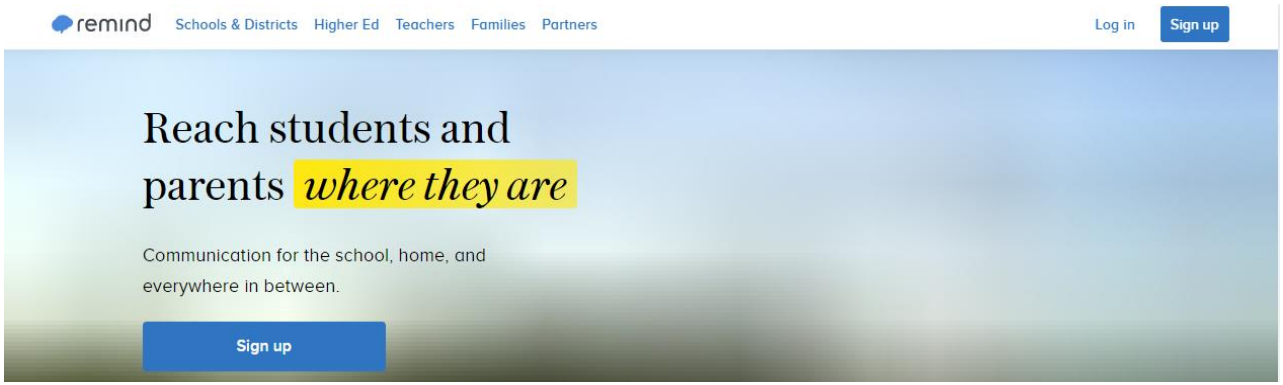
- If you are expecting to be out due to surgery, maternity, family member care, or Military Duty please contact the Office of HR to discuss Family Medical Leave
- Emergency Paid Sick Leave and Emergency Family Medical Leave is in response to COVID-19, this will be discussed in tomorrow's presentation

Standards of Conduct – pg. 35-38

- Educators Code of Ethics, which all District employees must support, are included in the handbook for your professional career responsibilities
  - Professional Ethical Conduct, Practices, and Performance
  - Ethical Conduct toward Professional Colleagues
  - Ethical Conduct toward Students

Electronic Communications – pg. 41-45

- Personal Use of Electronic Communications
- Electronic Communications between Employees, Students, and Parents
  - Employees are held to the same professional standards in their public use of electronic media as they are for any other public conduct
  - One standard application such as remind.com assists educators to communicate with students without issuing personal cell phone information and compromising the school District and your certification



Criminal History Background Checks & Employee Arrests and Convictions– pg. 45/46

- Individuals applying for volunteers, observations, student teaching, District vehicle users, and recommendations for hire all go through a criminal background check for verification of a clear record.
- If you are arrested, you must notify your campus/department administrator within three (3) calendar days as per Policy DH

Alcohol and Drug-Abuse Prevention & Tobacco Products/E-Cigarette Use– pg. 47

- Santa Maria 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 activities on or off school property and District vehicles
- Employees violating the drug free policy will be suspended or terminated
- State Law prohibits smoking, tobacco use, e-cigarettes on district property, and in District vehicles

Possession of Firearms and Weapons – pg. 50-51

- 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 District grounds. Report it immediately to District Administration or call 911

General Procedures – pg. 52/53

- Name and Address Change

  Address and name change form is available on the District website under the Office of Human Resources. Name change must have the updated SSN and DL, a new I9 Employment Eligibility Form will be added by the Office of HR

- Personnel Records

  Loan and mortgage companies who contact the Office of HR for financial information via phone, fax, or email will not be granted without the permission of the employee. It is a strict guideline of HR to protect the personal information of each employee

Termination of Employment – pg. 54

- Resignations
  - The Request for Release form is available on the District website under Forms on the HR Dept. website
  - Employees who wish to be released will return all district property to their campus/department before service records are released to the next district

Reports to Texas Education Agency – pg. 56

- Sexual misconduct, romantic relationships, or physical abuse or a minor or any other unlawful conduct with a student or minor from this or any other school District
- Possession, transfer, sale, or distribution of a controlled substance
- Illegal transfer of expenditures of District property or funds
- Altering certifications, falsifying records
- Committing a criminal offense on District property



SEXUAL DISCRIMINATION
TITLE IX & TITLE VII

Office of Human Resources

August 2020

Elizabeth A. Stenhouse

SMISD Employee,

This letter serves as official notification that you are being placed on administrative leave from your duties with the Santa Maria Independent School District effective immediately

In the best interest of the District, you are being placed on Administrative leave, pending the outcome of an investigation into allegations concerning…

Sexual Discrimination
Legal Action

- The employee will face all financial obligations
- If convicted, the employee will lose certification and TRS retirement annuity
- Notice to Parents: Parents will be informed through a District letterhead document with the educators name and incident timeline

Sexual Discrimination?

Sexual harassment is now legally defined by the
United States Department of Education (Friday, August 14th) as:

Sexual Discrimination

1) It must be unwelcome
2) It must be sexual in nature

There are two types of sexual discrimination…

1. Quid Pro Quo
2. Hostile Environment

A quid pro quo is when an individual in a position of authority offers an employee or student a benefit in exchange for a sexual favor

A hostile environment is created when unwelcome advances or conduct have the effect of interfering with the performance of duties or creating an intimidating, hostile, or otherwise offensive work or learning environment

“Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity.”

U.S. Department of Education

Types of Sexual Discrimination

Staff-to-student

Staff-to-staff

It does not matter whether the programs or activities occur on campus or off campus

Examples of Conduct for a Hostile Environment

- Obstruction of someone's movements, such as blocking them from leaving their office or classroom
- Sexual, racist, or otherwise inappropriate joking
- Mocking, teasing, or inappropriate actions towards someone on the basis of Title VII (gender, race, or religion)
- Aggressive behavior towards another employee
- Starting rumors or elaborating on gossip
- Degrading individuals on work performance or ridiculing in public

Examples of Conduct for Sexual Discrimination

- Offensive gestures or noises
- Sexist statements
- Looking at a person's body instead of his/her eyes
- Asking permission to hug or kiss individuals
- Mocking individuals or aggravating comebacks
- The F*** word (can lead to automatic termination)
- Emoji's that are sexually suggestive

Email & Electronic Communication

- Emails and Text messages can be used for investigative purposes
- Use professional language and when you receive an email or text that seems aggressive or before you send the communication, call the sender and ask or respond for clarification
- Do not start an “email or text war” because these communications can resurface in the event of a district investigation
- Be careful with Emoji's – 😀 😐 😳 😫 😎
  - Emoji’s are different on every mobile phone system, they may look one way to you, but can change on another phone
- Communication is going to be very critical this school year, use professional judgement on how your choice of communication comes across, call the person if you’re not sure

The key word is UNWELCOME

- The complainant (receiver) should tell the respondent (sender) that they find the conduct offensive
- If the behavior continues beyond that point, then it is sexual discrimination that will be pursued
- A formal complaint is a document filed by a complainant and signed by the Title IX Coordinator alleging sexual discrimination against a respondent and thus requires the district investigate the allegations of sexual discrimination
- After the investigation is completed, the complainant and respondent have an opportunity to appeal the decision with other designated employees of the district

Board Policy DH

Board Policy DH (Local)*

Employees shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual

An employee shall notify his or her supervisor when a student engages in improper electronic communication with the employee.

An employee shall not be required to disclose his or her personal email address or personal phone number to a student.

How Do I Prevent Being *Accused of Sexual Discrimination?*

- Educate yourself
- Be perceptive and professional when interacting with others
- Keep actions job-related
- Avoid gossip and elaborating on rumors
- Avoid personal and social media relationships with students
- Never be alone with a student
- Respect generation gaps

A District and Administrator will face SBEC** Reporting when the administrator acts with

Deliberate Indifference

**State Board for Educator Certification

Deliberate Indifference

1. Learned of facts or a pattern of behavior which points toward the student is being abused

2. Fails to take action which is necessary to prevent or stop the abuse, which results in a injury to the student, parents, community, or the district

3. Superintendents and Principals, who fail to report teacher misconduct, now face $10,000 fine, jailed for two years, and SBEC Certification will be revoked

What do I do if I see something I shouldn't have or I need help?

If you see it happening, write a statement via email or in writing and submit the original to your campus/department administrator

Be familiar with District policy

Document that you have reported the sexual discrimination to your administrator and keep documentation for yourself

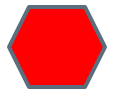
Volunteer, Observation, & Student Teacher Applications

- All individuals that are on district grounds as a volunteer, student observer, student teacher, and employee need to be background checked. This includes family members
- Send that individual to the Office of Human Resources for an application or to visit the HR Department website to print and write in required information
- Student and employee safety is a top priority

Volunteers, Observation, and Student Teachers have been postponed until further notice.

Do Not Hire Registry

- The DO NOT HIRE REGISTRY was approved by House Bill 3 and opened January 2020 and is accessible to all school district HR Departments
- A public website is available at the link:
  - https://tea.texas.gov/texas-educators/investigations/do-not-hire-registry
- The registry for districts contains every educator that has been reported to SBEC for misconduct from 1970 to present and their present status for districts



TITLE IX

Title IX of 1972

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education programs or activity receiving federal financial assistance."

Purpose of Title IX

- Initially intended to equalize athletic participation and funding between the genders

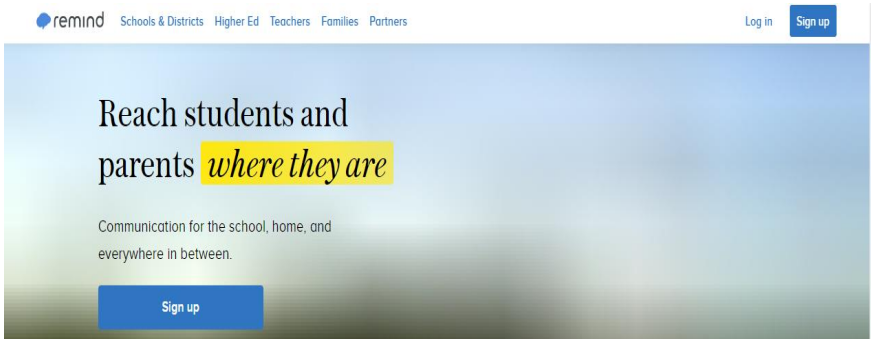
Title IX represents:

- Inequality in sports
- Discrimination in facilities/programs by schools based upon sex
- Hygiene facilities and athletic equipment
- Employment Sex/Gender
- Transgender Discrimination
- Sexual Orientation Discrimination
- Sexual Discrimination

Social Media

- Be extremely careful with social media **and including students**. We do not discourage you from having accounts with the social media accounts, however, they are able to be viewed by students, parents, administrators and employees. Do not follow students on their accounts, either
- Student Teachers are also subject to dismissal from their teaching careers
- Remind is the website or application to utilize for your students and parents
- Refrain from posting alcoholic drinks and explicit language





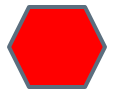
School District of Santa Maria
Title IX Team*

(Policy DIA, FB, FFH, FFI)

- Martin Cuellar, Title IX Coordinator
  Superintendent of Schools
- Elizabeth A. Stenhouse, Title IX Coordinator & Investigator
  Human Resource Specialist
- Rene R. Salinas, Facilitator
  Student Services Coordinator
- Jose G. Vela, Jr., Decision-Maker
  Principal, Santa Maria High School
- Salvador Acosta, Appellate Decision-Maker
  Federal Programs Director

Central Administration
11119 Military Hwy/PO Box 448
Santa Maria, Texas 78592
956-565-6308
HR@SMISD.NET

*Revised Regulations – Friday, August 14, 2020



TITLE VII

The Civil Rights Act of 1964 is a federal law that prohibits employers from discriminating against employees on the basis of:

- Sex (Gender)
- Race
- Color
- National origin
- Religion
- Retaliation
- Disability

Purpose of Title VII

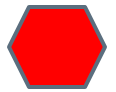
- They are the United States Equal Employment Opportunity Commission
- They are together with Title IX to prevent Quid Pro Quo, Sexual Discrimination, and a Hostile Environment
- An employee is protected from discrimination based on age if he or she is over 40

2019 Enforcement and Litigation Data

- The U.S. EEOC stated these breakdowns for the 72,675 charges of workplace discrimination
  - Sex 32.4%
  - Race 33%
  - Color 4.7%
  - National Origin 9.6%
  - Religion 3.7%
  - Retaliation 53.8%
  - Disability 33.4%

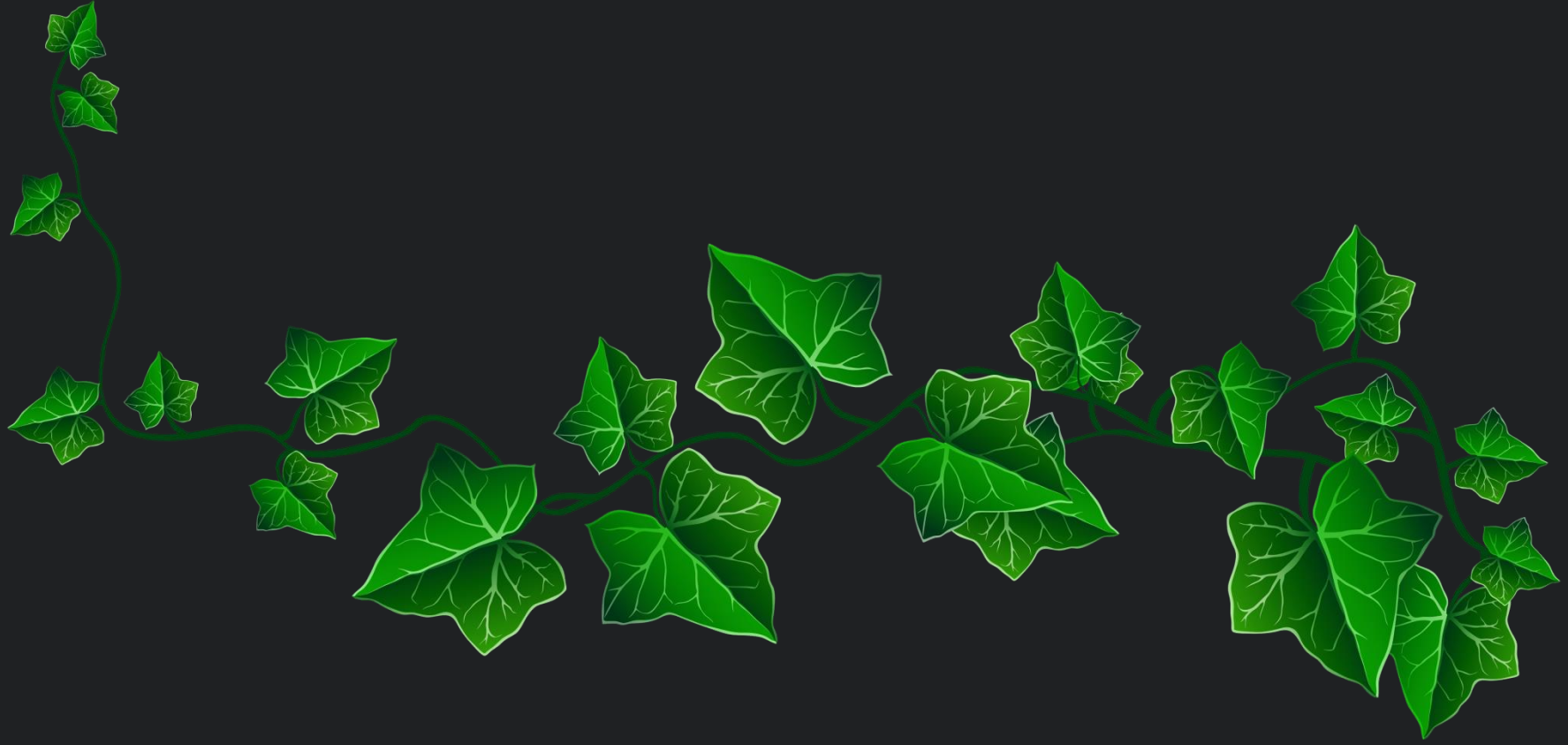
Sexual Discrimination
10.3% of charges
(7,514 cases)

https://www.eeoc.gov/eeoc/newsroom/release/1-24-20.cfm



SMISD.NET – HR DEPARTMENT





IVY MENTOR ACADEMY

OFFICE OF HUMAN RESOURCES
ELIZABETH A. STENHOUSE
SCHOOL YEAR 2020-2021

Ivy Mentor Academy

- Santa Maria ISD has begun an Ivy Mentor Academy for the new school year moving forward
- Educators (mentees) that are new to district or have two (2) years of school experience on a probationary contract will receive an Ivy Mentor Teacher for the 2020-2021 school year
- Educators that are selected to mentor and mentees will be contacted by the Office of Human Resources for further instruction

