2024-2025

WESLACO
INDEPENDENT SCHOOL DISTRICT

EMPLOYEE HANDBOOK

Dr. Richard Rivera
Superintendent of Schools

If you have difficulty accessing the information in this document because of a disability, please email aybarra@wisd.us

Human Resources Department

319 West Fourth Street-Weslaco, TX 78596 Telephone (956) 969-6619 Fax: (956)969-6932

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Weslaco Independent School District
Employee Handbook Receipt
2024 – 2025 School Year

Official Name: _____ Employee ID#: _____

(Please Print; DO NOT USE NICKNAMES – USE YOUR OFFICIAL NAME AS NOTED IN OUR SYSTEM)

Campus/Department: _____ Current Position: _____

I hereby acknowledge receipt of a copy of the Weslaco 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 hard copy format (to be provided by the campus/department secretary) or electronic format. The directions for accessing the electronic format are as follows:

- ☑ Go to our website www.wisd.us
- ☑ Go to Departments & Select Human Resources
- ☑ Download the WISD Employee Handbook

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 Human Resources Department or my campus administration to obtain a hard copy.

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

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

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

Furthermore, I accept the responsibility for contacting my immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication for any felony, any offense involving moral turpitude, and any other offense as outlined in Board Policy DH (LOCAL): Employee Standards of Conduct.

By signing this document, employees acknowledge that they have access to, and have read and understand, the most recent school district policies related to appropriate use of the electronic communications and data management systems, specifically CQR (local and legal). This document becomes an extension of the acceptable use policy already on file in the employee's personnel file.

_____ _____

Signature Date

✓ **Please sign and date both copies of this form you have been given and keep one.**

Note: **A copy will be kept at the campus/department and the original form will be forwarded to the Human Resources Department.**

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INTRODUCTION

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are, have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Human Resources Department located at 319 W. 4th Street, Weslaco, Texas, 78596.

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

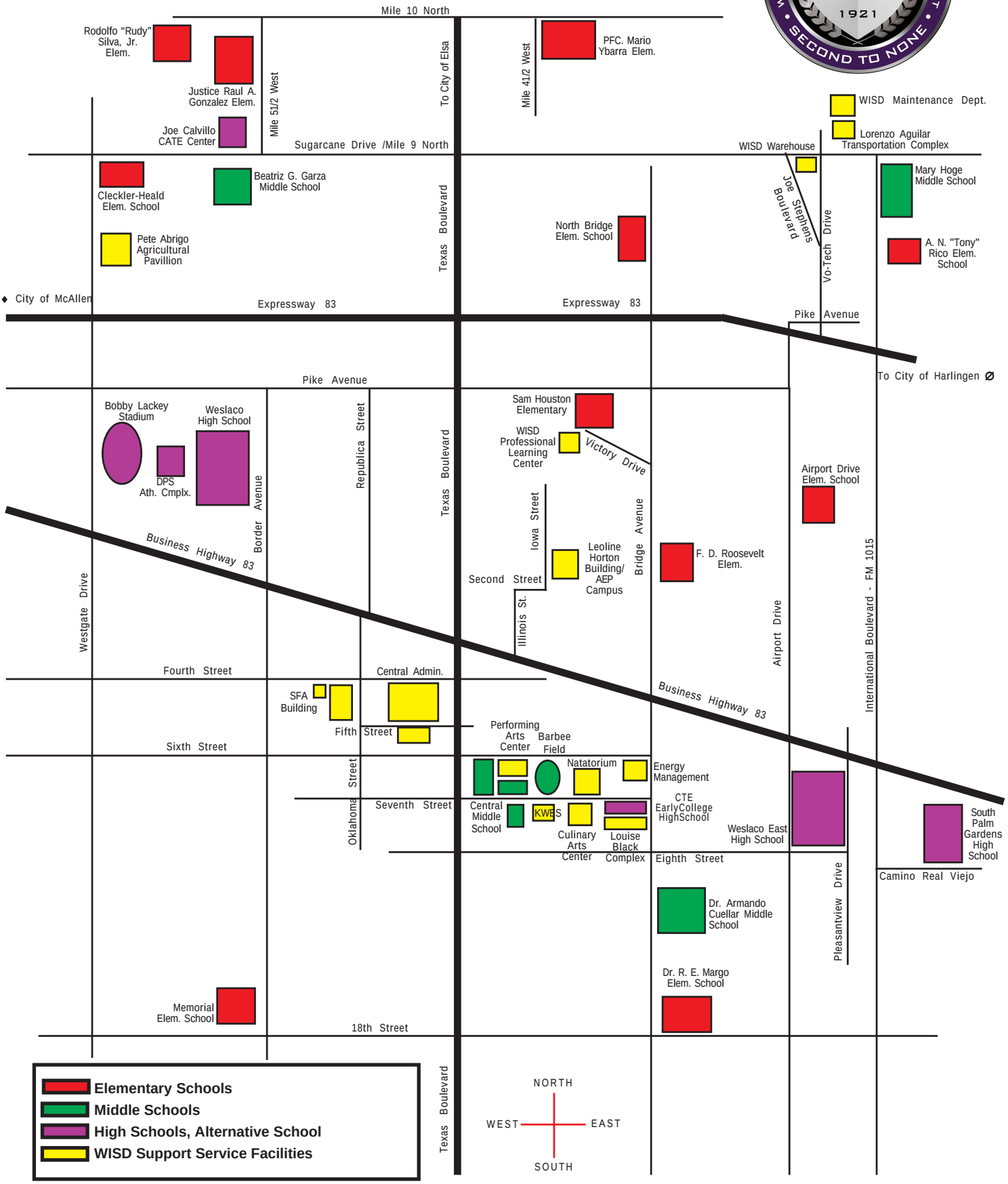
Modifications made periodically to the Employee Handbook will be made on the electronic version posted on the district website at www.wisd.us. Any changes will be highlighted for your convenience. Please refer to the website for the district's most current version of Weslaco ISD's Employee Handbook.

NONDISCRIMINATION STATEMENT

It is the policy of Weslaco ISD to not discriminate on the basis of sex, age, religion, race, color, marital status, veteran or military status, the presence of a medical condition, disability, or any other legally protected status.

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

District Map



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Mission Statement, Goals, and Objectives

Policy AE

District Goals 2024 2025

Vision Statement

Weslaco ISD inspires and empowers all students to reach their full, unique potential so that each thrives in and contributes to our global community

Mission Statement

As the Right Choice, Weslaco ISD delivers a complete educational experience grounded in creativity, synergy, problem-solving, and critical thinking that develops lifelong learners, confident leaders, and engaged citizens.

STUDENT SUCCESS/LITERACY FOCUS

Provide high-quality, engaging and innovative programs along the continuum of learning environments that develop college, career, military and service-ready leaders.

ENGAGING LEARNING ENVIRONMENTS

Ensure safe, secure, drug-free, technology-rich, and inviting environments which promote high performance along the continuum of learning environments.

PARENT-COMMUNITY-BUSINESS-INDUSTRY-PARTNERSHIPS

Foster exceptions community service, open communication, and positive collaboration using innovative and multiple platforms that support teacher and student success.

PROFESSIONAL GROWTH/LEADERSHIP DEVELOPMENT

Implement high-quality research-based professional development and continuous support for all employees so that they are able to facilitate teaching and learning along the continuum of learning environment.

FINANCIAL STRENGTH

Facilitate strategic planning, management, accountability, and transparent financial stewardship to optimize federal, state and local funding that supports the teaching and learning along the continuum of learning environment.

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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 biennially, on the first Tuesday of November and serve staggered four-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

Current board members include:

Mr. Isidoro Nieto
President

Mr. Armando Cuellar, Jr.
Vice-President

Dr. Jaime Rodriguez
Secretary

Mr. Eduardo Serna
Trustee

Mr. Marcos De Los Santos
Trustee

Mrs. Jaclyn Sustaita
Trustee

Mr. Ben Castillo
Trustee

The board usually meets the third Tuesday of every month at 5:30 p.m. in the Weslaco ISD Administration Building Boardroom located at 319 W. 4th Street. 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 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.

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Administration

Dr. Richard Rivera
Superintendent of Schools

Abel Aguilar
Deputy Superintendent

Daniel Budimir
Assistant Superintendent for School Leadership – Secondary

Beatriz Solano
Assistant Superintendent for School Leadership – Elementary

Janie D. Rodriguez
Assistant Superintendent for Human Resources

Americo Garza
Executive Director for Maintenance and Operations

David Robledo
Chief Financial Officer for Business and Finance

Carlos Robledo
Executive Director for District Communications

Carlos Martinez
Executive Director for Technology

Desi A. Rodriguez
Director for Athletics

2024-2025

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Weslaco ISD School Calendar

2024–2025

- First Day of School — August 19, 2024
- Last Day of School — May 23, 2025

BELL SCHEDULE

- Elementary — 7:45 am—3:30 pm **(465 mins)**
- Middle School — 8:00 am—4:05 pm **(485 mins)**
- High School — 8:15 am—4:15 pm **(480 mins)**

INSTRUCTIONAL DAYS-168

SEMESTER 1 **79 days**

1st Six Weeks	Aug. 19—Sept. 26	***28 days***
2nd Six Weeks	Sept. 30—Nov. 4	***25 days***
3rd Six Weeks	Nov. 6—Dec. 18	***26 days***

SEMESTER 2 **89 days**

4th Six Weeks	Jan. 8—Feb. 21	***32 days***
5th Six Weeks	Feb. 24—Apr. 11	***29 days***
6th Six Weeks	Apr. 14—May 23	***28 days***

TOTAL INSTRUCTIONAL MINUTES

- Elementary 78,120
- Middle School 81,480
- High School 80,640

HOLIDAYS / No Classes

Labor Day	September 2, 2024
Indigenous Peoples' Day	October 14, 2024
Thanksgiving Break	November 25 - 29, 2024
Winter Break	December 23, 2024- January 3, 2025
Weather Day	**February 10, 2025**
Spring Break	March 17 - 21, 2025
Good Friday	April 18, 2025
Weather Day	**April 21, 2025**
Memorial Day	May 26, 2025

STAFF DEVELOPMENT

- July 31, 2024 **New Teacher Orientation**
- August, 5-8, 2024
- January 6, 2025

WORK DAYS

- August 9 &12-14, 2024
- December 20, 2024
- May 27-28, 2025

TEACHER PLANNING (PLC) DAYS

- August 15-16, 2024
- September 27, 2024
- November 5, 2024
- December 19, 2024
- January 7, 2025
- March 14, 2025

GRADUATIONS

- SPGS — May 21, 2025
- **WHS — May 22, 2025**
- **WEHS — May 23, 2025**

TESTING

- December 3 - 13, 2024
- February 17—March 28, 2025
- April 8 - May 2, 2025
- June 17 - 20, 2025

JULY 2024

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST 2024

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18	19	20	21	22	23	24
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SEPTEMBER 2024

S	M	T	W	T	F	S
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER 2024

S	M	T	W	T	F	S
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NOVEMBER 2024

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DECEMBER 2024

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JANUARY 2025

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FEBRUARY 2025

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MARCH 2025

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30	31					

APRIL 2025

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27	28	29	30			

MAY 2025

S	M	T	W	T	F	S
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4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

JUNE 2025

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Dr. Richard Rivera, Superintendent of Schools

• 319 West Fourth Street – Weslaco, TX 78596 • (956)969-6500 • www.wisd.us

Helpful Contacts

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

Superintendent of Schools
Dr. Richard Rivera
(956) 969-6503, Fax: (956) 969-0201

Central Office Receptionist
DebbieFox
(956) 969-6500, Fax: (956) 969-2664

Assistant Superintendent for Human Resources	Janie D. Rodriguez	36619
Assistant Superintendent for School Leadership – Secondary	Daniel Budimir	36613
Assistant Superintendent for School Leadership – Elementary	Beatriz Solano	36897
Budget Director	Javiel Ruiz	36576
Chief Financial Officer for Business and Finance	David Robledo	36585
Parent and Family Engagement Coordinator	Erica Garcia	36600
Deputy Superintendent	Abel Aguilar	36795
Director for Athletics	Desi A. Rodriguez	36894
Director of Assessment & Accountability	Elias Trevino	36971
Director of Instructional Technology	Scott Amdahl	36559
Director of Maintenance	Pablo Vallejo	36850
Director of Operations	Orlando Pena	36840
Director of Student Support Services	Dr. Cindy Cid	36747
Emergent Bilingual Coordinator	Dr. Carolina Lopez	36647
Employee Benefits/Risk Management Manager	Dr. Raul Cantu	36580
Executive Director for District Communications	Carlos Robledo	36705
Executive Director for Maintenance and Operations	Americo Garza	36515
Executive Director for Technology	Carlos Martinez	36545
External Funding Coordinator	Katie Reyes	37120
Fine Arts Director	Christopher Fernandez	37116
Food Service Assistant Director	Becky Gracia	30254
District Health Services Coordinator	Susan Coffman	30154
Director of Instructional Programs	John Garlic	36914
Payroll and Business Operations Director	Jesse Fonseca	36977
Public Information Officer	Arminda Munoz	36507
Purchasing Director	Balde Garcia	36569
Executive Director of Safe and Supportive Schools & Admin.	Daniel Reyna	36998
Special Education Director	Neil Garza	36822
Transportation Manager	Hector Gonzalez	36862

Title IX Officer
Janie D. Rodriguez
Assistant Superintendent for Human Resources
319 W. 4th Street - Weslaco, TX 78596
(956) 969-6619

ADA/Section 504 Coordinator
Mr. Neil Garza
Special Education Director
814 E. Plaza Street - Weslaco, TX 78596
(956) 969-6822

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SCHOOL DIRECTORY

ELEMENTARY SCHOOLS (Grades Pre K-5)	
A.N. (Tony) Rico Elementary 2202 N. International Blvd. Weslaco, Texas 78596 (956) 969-6815 Jennifer Luna, Principal	**Airport Drive Elementary** 410 N. Airport Drive Weslaco, Texas 78596 (956) 969-6770 Dr. Efrain Reyna, Principal
Cleckler-Heald Elementary 1601 W. Sugarcane Drive Weslaco, Texas 78596 (956) 969-6888 Monica Vanderveer, Principal	**Dr. R.E. Margo Elementary** 1701 S. Bridge Weslaco, Texas 78596 (956) 969-6800 Arcadia Lopez, Principal
Justice Raul A. Gonzalez Elementary 3801 N. 5 ½ West Weslaco, Texas 78596 (956) 969-6760 Rosa Garcia, Principal	**North Bridge Elementary** 2001 N. Bridge Weslaco, Texas 78596 (956) 969-6810 Carmen Briones, Intermediate Principal
Memorial Elementary 1700 S. Border Weslaco, Texas 78596 (956) 969-6780 Celinda Guajardo, Principal	**PFC Mario Ybarra Elementary** 1800 E. Mile 10 Weslaco, Texas 78596 (956) 969-6587 Sonia R. Closner, Principal
Rodolfo Silva Jr. Elementary 1001 W. Mile 10 Weslaco, Texas 78596 (956) 969-6790 Maria Moreno, Principal	**Sam Houston Elementary** 608 N. Cantu Street Weslaco, Texas 78596 (956) 969-6740 Selma Gutierrez, Principal

MIDDLE SCHOOLS (Grades 6-8)	
Beatriz Garza Middle School 1111 W. Sugarcane Road Weslaco, Texas 78596 (956) 969-6775 Melissa Mora-Rodriguez, Principal	**Central Middle School** 506 E. 6th Street Weslaco, Texas 78596 (956) 969-6710 Enrique Ornelas, Principal
Cuellar Middle School 1201 S. Bridge Street Weslaco, Texas 78596 (956) 969-6720 Graciela Palacios, Principal	**Mary Hoge Middle School** 2302 N. International Blvd. Weslaco, Texas 78596 (956) 969-6730 Javier De Anda, Principal

HIGH SCHOOLS (Grades 9-12)		
Weslaco High School 1005 W. Pike Avenue Weslaco, Texas 78596 (956) 969-6700 Yvett Morales, Principal	**Weslaco East High School** 2000 E. Business Hwy 83 Weslaco, Texas 78596 (956) 969-6950 Dr. David A. Gamboa, Principal	**South Palm Gardens High School** 3907 Camino Real Viejo Mercedes, Texas 78570 (956) 565-0404 Tina Wells, Principal

ALTERNATIVE SCHOOL	CAREER & COLLEGE DEVELOPMENT CENTER
CAEP/DAEP 319 West 4th St. Weslaco, Texas 78596 (956) 969-6916 Roger Perez, Principal	**CCDC** 814 E. Plaza St. Weslaco, Texas 78596 (956) 969-6742 Janet Standard, Director

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Employment

Equal Employment Opportunity

Policies DAA, DIA

In its efforts to promote nondiscrimination and as required by law, Weslaco 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 Assistant Secretary for Civil Rights of the Department of Education, or both.

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Mrs. Janie D. Rodriguez, Assistant Superintendent for Human Resources, 319 W. 4th Street, Weslaco, Texas, jdybarrarodriguez@wisd.us, (956) 969-6619. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Neil Garza, Special Education Director, 814 E. Plaza Street, Weslaco, Texas, ngarza@wisd.us, (956)969-6822.

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

Job Vacancy Announcements

Policy DC

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

Employment after Retirement

Policy DC

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

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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 one-year contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code.

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

Certification and Licenses

Policies DBA, DF

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

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

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 the WISD Assistant Superintendent for Human Resources if you have any questions regarding certification or licensure requirements.

Recertification of Employment Authorization

Policy DC

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

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Human Resources Department 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

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

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

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact the Human Resources Department.

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 immediate supervisor by the end of the 1st six weeks period of the school year.

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

Reassignment and Transfers

Policy DK

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent or designee determines that the assignment or reassignment is in the best interest of the district. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by the deadline as designated by the Human Resources Department. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resources Department and must be approved by the receiving supervisor.

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Assignment of Relatives

Policy DK

No employee shall be assigned to a position in which he or she would supervise or would otherwise be directly responsible for the evaluation of a member of his or her immediate family, as defined in DEC(LOCAL).

Relative of Administrators

Policy DK

For purpose of this policy, "administrators" shall include principals, assistant principals, deans of instruction, curriculum assistants, coordinators, directors, supervisors, the chief of police, the captain of police, the assistant fine arts director, the athletic coordinator, head coaches, assistant superintenents, executive officers, chiefs, and the Superintendent.

An employee who is related by consanguinity (blood) within the second degree or by affinity within the second degree to the Superintendent shall not be assigned to a position on that campus or in that department that is under the Superintendent's direct supervision.

The provision shall apply to substitute teachers and other substitute employees.

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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 a lunch period.

Paraprofessional and Auxiliary Employees. Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See **Overtime Compensation** on page 24 for additional information.

EMPLOYEE WORK TIME RECORDS.

> The Fair Labor Standards Act (FLSA) requires that employers keep detailed records on time and payment for all employees. All **FLSA** provisions guide utilization of the time clock system at WISD.

The Weslaco Independent School District (WISD) uses an electronic time tracking system called **TIME CLOCK PLUS** to capture and record all employee time records. Time Clock Plus is an electronic time tracking system that allows the District to accurately record, track, and report employee information in real time. This allows employees to accurately monitor and keep track of their time and enables the District to efficiently process employee time worked and leave taken for payroll purposes. District procedures and guidelines have been created to ensure accurate recordkeeping and compliance within the District as mandated by the Department of Labor and may be accessed at any time on the district webpage.

Every WISD employee is assigned an employee ID number upon hire and is used for identification purposes throughout the District. The WISD employee's identification number is used to clock in and out at the time clock location(s) and to view time worked. Time Clocks are located throughout the District at every school and department site. It is the job requirement of all employees to "clock in" and "clock out" at the start and at the end of their workday. All non-exempt employees are entitled and expected to take a duty-free lunch period each day, and are required to "clock in" and "clock out" to record this unpaid lunchtime.

FALSIFICATION OR TAMPERING OF TIME RECORDS. Any attempt to falsify or tamper with employee time records will not be tolerated and will result in disciplinary action up to and including termination.

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To tamper with Time Clock equipment, interfere with use of the clocks, punch in or out for someone else, or falsify employee time adjustment forms will be considered a serious offense. Due to the severity of these infractions, there will be immediate discipline enforced, up to and including termination.

Breaks for Expression of Breast Milk

Policies DEAB, DG

Weslaco ISD is designated as a Texas Mother-Friendly Worksite. 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 Mrs. Janie D. Rodriguez, Assistant Superintendent for Human Resources at (956) 969-6619 or Dr. Raul Cantu, Employee Benefits/ Risk Management Manager at (956) 969-6580.

Notification to Parents Regarding Qualifications

Policies DK, DBA

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notice under ESSA is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call the WISD Human Resources Department at (956)969-6619.

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Outside Employment and Tutoring

Policy DBD

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

Performance Evaluation

Policy DN series

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

Upon receiving a report, a nursing review committee may review a nurse's nursing services, qualifications, and quality of patient care, as well as the merits of a complaint concerning a nurse, and a determination or recommendation regarding a complaint. A nurse may request, orally or in writing, a determination by the committee regarding conduct requested of the nurse believed to violate the nurse's duty to a patient.

Employee Involvement

Policies BQA, BQB

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

Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for 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.

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Compensation and Benefits

Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See **Overtime Compensation**, page 24.)

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 the Human Resources Department for more information about the district's pay schedules or their own pay.

Paychecks

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

Automatic Payroll Deposit

The district offers employees the opportunity to participate in a direct deposit program. Employees may choose to deposit monthly paychecks directly into a checking and/or savings account at the employees' choice of bank or savings institution. Electing to participate in the direct deposit program must be done by the last day of a given month for direct deposit to be effective on the 25th of the following month (next payroll cycle). Furthermore, any changes in accounts, such as closing an account, opening a new account, and/or changing banking institutions should be submitted to the payroll department on or before the last day of a given month to take effect with the next pay cycle. With automatic deposit service, an employee's money is immediately available on the pay date. Authorization for Direct Deposit is required by the employee.

Monthly employees on direct deposit will no longer receive printed check stubs. Employees can access a copy of their monthly pay-stub by accessing the Employee Information Portal located on the District webpage at https://alioportal.wisd.us/esp/Login.aspx.

For more information about the automatic payroll deposit service, call the Payroll Office at the WISD Business Office located at 312 W. 5th Street at (956) 969-6977.

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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 certain charitable contributions approved by the board. Salary deductions are automatically made for unauthorized or unpaid leave.

✔ ***NOTE: The employee is financially responsible and subject to legal action for any type of salary overpayment.***

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. Sunday and ends at midnight Saturday.

Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours.

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

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

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Travel Expense Reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor and the Superintendent of Schools 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 available to all full-time employees. The district provides a self-funded medical health benefit plan. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Detailed descriptions of insurance coverage and prices are available for all employees at the Risk Management Department and webpage.

The health insurance plan year is from September 1 through August 31. New employees must complete enrollment forms within the first 30 days of employment and/or during open enrollment. Current employees can make changes in their insurance coverage during the open enrollment each year or within 30 days of experiencing a qualifying event (e.g., marriage, divorce, birth). Employees should contact Risk Management Department at (956)969-6818 for more information.

Dental: Basic Dental Insurance is provided to all full-time employees. The district's contribution level is determined annually by the Board of Trustees. Detailed descriptions of insurance coverage and contributions are available for all employees at the Risk Management Department and webpage.

Life: The district provides a basic term life insurance benefit of $25,000 to all new hires (employee only). Employees may purchase additional life insurance coverage at their own expense up to $100,000.00 guaranteed issue (no medical underwriting necessary) within 30 days of hire date. If purchased any time after the 30 days, employees will be subjected to medical underwriting.

Full-Time Status: For purposes of health care coverage "full-time" means 30 hours per week. An employee's "full-time" status, including calculating the number of hours worked, will be made in accordance with regulations issued by the federal government under the Affordable Care Act.

Generally, under the federal regulations, Weslaco Independent School District will identify full time employees as follows:

- Employees who are hired into positions that are expected to require at least 30 hours per week, will be treated as full time, subject to measurement s described below.
- For employees who are not expected to work at least 30 hours per week, including employees whose hours are not known when they are hired, Weslaco will use a measurement period of **twelve months**.

Additional details concerning the identification of full-time employees can be found at the Weslaco Independent School District Human Resources Department webpage and in the health insurance benefits booklet.

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Supplemental Insurance Benefits/ Voluntary Products/ Cafeteria Plan (section 125):

Policy CRD

At their own expense, employees may enroll in supplemental insurance coverages (Voluntary products). Premiums for these products are payroll deducted. Certain eligible products automatically fall under the cafeteria plan (premiums paid on a pre-tax basis). Employees filing claims under these products will start the process at Benefits & Risk Management Department and will be directed to the appropriate third party administrator.

New employees have 30 days from hire date to enroll for these products. All employees re-enroll or decline these benefits annually during the open enrollment time period for voluntary products.

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 injury. The district has workers' compensation coverage from Tristar Risk Management.

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 your supervisor, school nurse, and the Risk Management Department. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See **Workers' Compensation Benefits**, page 35 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 the Risk Management Department at (956) 969-6818 and/or the Human Resources Department at (956) 969-6619.

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Teacher Retirement

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

Employees who plan to retire under TRS should notify the Human Resources Department 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).

Leaves and Absences

Policies DEC, DECA, DECB

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

All monthly employees must use the Employee Absence Reporting System to record an absence from duty. All monthly employee absences must be assigned a job number via the system. Bi-weekly employees (custodial, maintenance, transportation, food service, safety/security, energy management except office personnel) are responsible for notifying supervisors of an absence so that department secretaries accurately record absences via ERP-LINQ. Failure to follow administrative procedures in recording absence from duty may result in disciplinary action including termination.

Paid leave must be used in half-day increments. Earned comp time must be used before any available paid state and local leave. Use of sick leave pool days shall be permitted only after all available state and local leave has been exhausted. Available leave shall be used in the order determined by each employee.

- Comp time
- Local Leave
- State Leave

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

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If an 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 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 another 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 3 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 FMLA leave 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.

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State Personal Leave

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

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

Discretionary. Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor 3 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.

Duration of Leave. Discretionary use of state personal leave shall not exceed three consecutive workdays and shall not exceed five days per semester.

Limitations. Discretionary use of leave shall not be allowed on the following days:

- The day before a school holiday;
- The day after a school holiday;
- Days scheduled for end-of-semester or end-of-year examinations;
- Days scheduled for state-mandated assessments; or
- Professional or staff development days.

Excessive Absence. The district's operation depends on consistent attendance by all of its employees. If an employee's absences are deemed excessive by the employee's principal/supervisor, then the employee may be subject to disciplinary action including termination. An absence is considered excessive if it occurs after the employee's earned leave balance is depleted and is not protected by any state or federal law or otherwise provided for in Board policy.

An absence may also be considered excessive if the employee is absent more than 10 days within a calendar year period unless the absences are protected by state or federal law or otherwise provided for in Board policy.

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

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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

All employees shall earn five paid local leave days per school year in accordance with administrative regulations. Local leave shall accumulate without limit. Local leave shall be used according to the terms and conditions of state personal leave; however, the employee shall be docked for use of local leave, in accordance with half and full day rates as provided in this policy. [See STATE PERSONAL LEAVE, above]

Vacation Days

(Policy DED)

After 12 months of service, a non-certified employee in a full-time position normally requiring at least 260 workdays per year shall be eligible for five days of paid vacation each fiscal year.

After 24 months of employment shall be eligible for 10 days of paid vacation.

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

Vacation days shall be available for use at the beginning of the employment year. Vacation days shall be taken at a time approved by the employee's supervisor.

Vacation days shall be noncumulative and shall be forfeited if not used by the end of the employment year in which they are earned.

The District shall not pay an employee for unused vacation days upon any separation from employment with the District. If an employee separates from employment having used more vacation days than he or she has earned, the District shall deduct the cost of unearned vacation days in accordance with administrative regulations.

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Non-certified employees in positions requiring **260** workdays of service shall be granted the following holidays annually.

These designated paid holidays shall be:

- 4th of July
- Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Day
- Good Friday at Easter

Non-certified employees in positions normally requiring **193, 196, 197,** and **198** workdays of service shall be granted the following holidays annually.

These designated paid holidays shall be:

- Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Day
- Good Friday at Easter

Sick Leave Pool

An employee who has exhausted all paid leave and who suffers from a catastrophic illness or injury or is absent due to the catastrophic illness or injury of a member of the employee's immediate family may request the establishment of a sick leave pool, to which District employees may donate no more than five state and/or local personal leave days for use by the eligible employee. The eligible employee may draw a maximum of 60 leave days from the sick leave pool. If the employee is unable to submit the request, a member of the employee's family or the employee's supervisor may submit the request to establish a sick leave pool.

The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool.

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Family Medical Leave Act (FMLA) – General Provisions

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

Leave Entitlements

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

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

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

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

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

Benefits and Protections

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

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

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

Eligibility Requirements

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

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

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

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Requesting Leave

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

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

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

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

Employer Responsibilities

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

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

Enforcement

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

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

For additional information:

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

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Local Procedures for Implementing Family and Medical Leave Provisions

Employees who have been employed by the district for at least 12 months and have worked at least 1,250 hours in the 12 months immediately preceding the need for leave are eligible for family and medical leave. Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period measured forward from the date an individual employee's first FML begins.

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 to the procedures outlined in policy (see DECA (LEGAL)).

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

District Contact. Employees that require FML or have questions should contact the Risk Management Department for details on eligibility, requirements, and limitations.

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

Workers' Compensation Benefits

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

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

Assault Leave

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

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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

Employees may use up to five days of state and local leave for absences due to a death in the immediate family.

Jury Duty

Policies DEC, DG

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

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

Compliance with a Subpoena

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

Truancy Court Appearances

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

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Religious Observance

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

Military Leave

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

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

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

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Employee Relations and Communications

Employee Recognition and Appreciation

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

District Communications

The Weslaco ISD Public Information Office is the district contact for the news media coordinating all district publication, news releases, publishing various brochures, calendars, fliers, newsletters and many other items, which are considered a form of communication throughout the school year. Ideas for feature photographs and stories are always welcomed and shared with three Valley newspapers and on occasion with the ABC and CBS television affiliates in the Valley. In addition, most of the stories are used in the "Targeting Student Success" page published in the Mid Valley Town Crier on a weekly basis and, occasionally, a story may be used as the topic for a local radio or television talk show or even the district's own KWES-TV, cable channel 1301.

These WISD publications are designed to offer employees and the community of Weslaco information pertaining to school activities and achievements. Staff members are encouraged to get in touch with their principal or school's public relations representative to make suggestions. News Release request forms are available at each campus main office. All completed forms should be forwarded to Public Information Office so that photograph sessions and interviews may be scheduled. The request forms should be forwarded at least two weeks before the event.

An information file bank is compiled by the Public Information Office to assist staff members who may want copies of published articles regarding the district. Call the Public Information Officer at (956) 969-6505 for additional information.

KWES-TV CHANNEL 1301. Weslaco ISD's district Instructional Television station, KWES-TV Channel 17, provides information to the public. The district's Instructional Television station is used to transmit a variety of information, which may include registration times, public hearing dates, lunch menus, school programs, and athletic events, district Announcements, etc. Emphasis is focused on providing parents with a video insight into what is happening at their child's school as well as in the district. For more information regarding the district's KWES-TV cable channel 1301, call the KWES-TV office at (956) 969-6876.

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Complaints and Grievances

Policy DGBA

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

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. For ease of reference, the district's policy concerning the process of bringing concerns and complaints may be accessed via TASB's Policy Online service on the district homepage at **www.wisd.us** or by accessing the following link:

https://pol.tasb.org/Policy/Code/644?filter=DGBA

The following policies address grievance procedures to resolve alleged discrimination complaints as required under Title IX and Section 504 and may be accessed via TASB's Policy Online service on the district homepage at **www.wisd.us** or by accessing the following links:

https://pol.tasb.org/Policy/Code/644?filter=DGBA
https://pol.tasb.org/Policy/Code/644?filter=DIA

- **DGBA (LOCAL) – Grievance/Complaint Process**
- **DIA (LOCAL) – Freedom from Discrimination, Harassment, and Retaliation**

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Employee Conduct and Welfare

Standards of Conduct

Policy DH

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

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action 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 Texas Education Agency** page 61 for additional information.

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

Texas Educators' Code of Ethics

Purpose and Scope

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

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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, abuse, or distribution of controlled substances, prescription drugs and toxic inhalants.

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

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.

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

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

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

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

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

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

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

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messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

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

(ii) the subject matter of the communication;

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

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

(v) whether the communication was sexually explicit; and

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

Discrimination, Harassment, and Retaliation

Policies DH, DIA

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action 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, *DIA* (Local), includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation and can be accessed via TASB's Policy Online service on the district homepage at www.wisd.us or by accessing the following link: https://pol.tasb.org/Home/Index/644.

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.

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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 suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See **Reporting Suspected Child Abuse**, below and **Bullying**, page 64 for additional information.

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

The district's policies, DHB(LEGAL), FFH(LOCAL), and FFH(EXHIBIT), that include definitions and procedures for reporting and investigating harassment of students are accessible via TASB's Policy online service on the WISD district homepage at www.wisd.us or by accessing the following links:

Definition: Solicitation of a Romantic Relationship – Board Policy DHB(LEGAL)
https://pol.tasb.org/Policy/Code/644?filter=DHB

Student Welfare: Freedom from Discrimination, Retaliation, and Harassment – Board Policy FFH(LOCAL) and FFH(EXHIBIT)

https://pol.tasb.org/Policy/Code/644?filter=FFH

Reporting Suspected Child Abuse

Policies DG, FFG, GRA

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

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

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

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

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who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

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

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

Sexual Abuse and Maltreatment of Children

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

Reporting Crime

Policy DG

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

Employee Dress Code and Grooming

Policy DH

The Weslaco ISD shall expect the staff provide leadership in matters of dress, hair grooming and general grooming so that an environment conducive to learning may be maintained.

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District employees shall dress and be groomed in a clean and neat manner appropriate for their assignments and in accordance with the following dress and grooming requirements:

All Employees

- Tattoos must be appropriately covered by all employees.
- Visible Hickeys (*Hickies*), also sometimes called love bites or kiss marks may be considered offensive and must be covered.
- Facial piercings such as lip piercings, nose piercings, tongue piercings, and eyebrow piercings will not be permitted.
- Blue jeans are not permitted to be worn unless otherwise authorized by the campus principal and/ or department supervisor.
- Warm-ups are not professional and are not considered acceptable attire unless warranted by assignment and with the campus principal's/department supervisor's authorization.

Males

- Male employees shall wear ties, unless their assignments are such that a tie is clearly unwarranted or unless the principal and/or department supervisor has authorized an exemption.
- Male employees shall not wear a hairstyle which extends below the collar. Hair is expected to be kept neat and clean at all times. Facial hair is acceptable as long as it is kept neatly trimmed.
- Male employees shall not wear flip flops (thongs) or other such casual footwear.

Females

- Female employees shall wear appropriate undergarments at all times.
- Female employees shall not wear flip flops (thongs) or other such casual footwear.
- Female employees may not wear shorts (Bermuda, Cargo, etc.)
- Female employees may wear Capri pants as long as they are not casual wear. They must be professionally worn and must exceed mid-calf length.
- Female employees may not wear blouses or tops that are transparent, exposing undergarments.
- Female employees may not wear strapless and/or spaghetti strapped tops. Sleeveless tops must be worn professionally and/or with a blazer.
- Female employees may not wear skirts shorter than 4 inches above the knee.

In departments, such as Food Services, Transportation, Maintenance, and Custodial, where a distinct style of clothing and/or uniform is required, grounds for termination will be considered for any employee refusing to abide by the dress requirements.

Scope and Sequence

Policy DG

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

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

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Technology Resources

Policy CQ

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

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

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

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and/or legal action. Employees with questions about computer use and data management can contact the Executive Director for Technology at (956) 969-6545.

Personal Use of Electronic Communications

Policy CQ, DH

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

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

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, mealtimes, and before and after scheduled work

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hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.

- The employee shall not use the district's logo or other copyrighted material of the district without express written consent.

- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.

- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:

    - Confidentiality of student records. [See Policy FL]

    - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See DH (EXHIBIT)]

    - Confidentiality of district records, including educator evaluations and private 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 *Electronic Communications between Employees, Students, and Parents*, below, for regulations on employee communication with students through electronic media

Electronic Communications between Employees, Students, and Parents

Policy DH

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

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

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consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

- The employee has provided the parent with a copy of this protocol;
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from district regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

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

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes email, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
    - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).

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- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.

- The employee shall not communicate directly with any student between the hours of 10:00 p.m. and 6:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.

- The employee does not have a right to privacy with respect to communications with students and parents.

- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics including:

    - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]

    - Copyright law [Policy CY]

    - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]

- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.

- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.

- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district's record retention policy.

An employee shall notify his or supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

Public Information on Private Devices

Policy DH, 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:

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

Criminal History Background Checks

Policy DBAA

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

Employee Arrests and Convictions

Policy DH

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

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

Moral turpitude includes the following:

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

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

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Alcohol and Drug-Abuse Prevention

Policy DH

Weslaco 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 terminated as per Board Policy DH(LOCAL).

The district's policy *DH* regarding employee drug use can be found on the District webpage at www.wisd.us or by accessing the following link:

https://pol.tasb.org/Policy/Code/644?filter=DH.

Tobacco Products and E-Cigarette Use

Policies DH, FNCD, GKA

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

Fraud and Financial Impropriety

Policy CAA

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

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

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Conflicts of Interest

Policy CB, DBD

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

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

Employees should contact their supervisor for additional information.

Gifts and Favors

Policy DBD

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

Copyrighted Materials

Policy CY

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

Associations and Political Activities

Policy DGA

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

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

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

Charitable Contributions

Policy DG

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

Safety

Policy CK series

The district has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See Emergencies on page 55 for additional information.

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

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

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

Employees with questions or concerns relating to safety programs and issues can contact the Safety & Security at (956) 969-6998.

Possession of Firearms and Weapons

Policies DH, FNCG, GKA

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided

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the handgun or firearm or ammunition is properly stored, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or call the Safety & Security Department at (956) 969-6998 immediately.

Visitors in the Workplace

Policy GKC

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

Asbestos Management Plan

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

Pest Control Treatment

Policies CLB, DI

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

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located at the front entrance to the building and/or on a public notice bulletin board. 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.

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General Procedures

Emergency School Closing

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

TELEVISION STATIONS	RADIO STATIONS
KRGV-TV (ABC)	HOT KISS 106.3
KGBT-TV (CBS)	KMBH/KHID – Public Radio
XHRIO – (FOX)	FM100 – KTEX
Univision	WILD 104
KTLM – Telemundo	KGBT 98.5 AM
KWES-TV Channel 1301	KGBT 96.1 FM
KVEO	KGBT 1530 AM
	KURV 710 AM

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.

Remote Work from Home

No Right to Remote Work. Telework, or working remotely from home, is an assignment that the district may choose to make available to some employees during times of need and due to unforeseen circumstances, such as disaster declarations, pandemics, etc. and/or when a mutually beneficial situation exists. Telework/Remote work is not an employee benefit, but rather is an alternate method of meeting the needs of the district in an effort to ensure the continuity of instructional services to students and the basic operations of the district.

Employees do not have the "right" to telework/work remotely; the district may terminate the remote work arrangement at any time.

During times that the district requires employees to work remotely from home, employees are required to follow additional guidance and procedures as outlined in the district's Remote Working Handbook which can be located and accessed online at (HR district's webpage) at any time. All employees working remotely

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will still be governed by board policy and the WISD employee handbook, regardless of their assigned working location.

Work Location. The terms "remote work location" or "remote workspace" shall mean employee's home or any satellite work center location approved by employee's supervisor.

The site chosen as the employee's remote workplace must be approved by the manager and the site must not be in a location that would prevent the employee from appearing daily to work in a WISD facility if needed.

Purchasing Procedures

Policy CH

All requests for purchases must be submitted to the Purchasing Department on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact the Purchasing Department at (956) 969-6735 for additional information on purchasing procedures.

Name and Address Changes

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

Personnel Records

Policy DBA, GBA

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

Employees may choose to have the following personal information withheld:

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

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

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Facility Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. The Weslaco ISD Business Office is responsible for scheduling the use of facilities after school hours. Contact the Chief Financial Officer for Business and Finance for Business and Finance at the Business Office at (956) 969-6523 to request to use school facilities and to obtain information on the fees charged.

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Termination of Employment

Resignations

Policy DFE, DHB

Contract Employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the Superintendent. 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.

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

The principal is required to notify the superintendent of an educator's resignation within seven business days following an alleged incident of misconduct for any of the acts listed in **Reports to Texas Education Agency** on page 61. 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 Human Resources Department at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

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.

Dismissal or Nonrenewal of Contract Employees

Policies DF Series, DHB

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be 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 in Reports to Texas Education

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Agency on page 61. The superintendent will notify SBEC when an employee is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

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

Dismissal of Noncontract Employees

Policies DCD, DP

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, sex, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See **Complaints and Grievances**, page 39.)

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

Discharge of Convicted Employees

Policy DF

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

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

Exit Interviews and Procedures

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.

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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

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Student Issues

Equal Educational Opportunities

Policies FB, FFH

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

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to Mrs. Janie D. Rodriguez, Assistant Superintendent for Human Resources, 319 W. 4th Street, Weslaco, TX, 78596, jdybarrarodriguez@wisd.us, (956) 969-6619, the district Title IX coordinator for students. Questions or concerns about discrimination on the basis of a disability should be directed to Neil Garza, Director of Special Education, 814 E. Plaza Street, Weslaco, TX, 78596, ngarza@wisd.us, (956) 969-6822, the district ADA/Section 504 coordinator for students. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

Student Records

Policy FL

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

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary 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.

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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

Medication Provided by Parent

The Superintendent shall designate the employees who are authorized to administer medication that has been provided by a student's parent. An authorized employee is permitted to administer the following medication in accordance with administrative regulations:

1. Prescription medication in accordance with legal requirements.
2. Nonprescription medication, upon a parent's written request, when properly labeled and in the original container.
3. Herbal substances or dietary supplements provided by the parent and only if required by the individualized education program or Section 504 plan for a student with disabilities.

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

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Student Conduct and Discipline

Policies in the FN series and FO series

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

Student Attendance

Policy FEB

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

Bullying

Policy FFI

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyber bullying, to their immediate supervisors. The district's policy includes definitions and procedures for reporting and investigating bullying of students and can be found by accessing the district policy FFI via TASB's Policy Online Service found on the district's homepage at www.wisd.us or by accessing the following link

https://pol.tasb.org/Policy/Code/644?filter=FFI.

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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Appendix

According to Education Code 21.204 each employee will be able to view the board's employment policies online at: www.wisd.us

Policies Referenced in this Handbook:

AE (LEGAL), (LOCAL), (EXHIBIT)
BA (LEGAL)
BQA (LEGAL), (LOCAL)
BQB (LEGAL), (LOCAL)
CAA (LOCAL)
CB (LOCAL)
CFEA (LEGAL), (LOCAL)
CH (LEGAL), (LOCAL)
CK (LEGAL), (LOCAL)
CKA (LEGAL)
CKC (LEGAL), (LOCAL)
CKD (LEGAL)
CLB (LEGAL), (LOCAL)
CPC (LEGAL), (LOCAL)
CQ (LEGAL), (LOCAL)
CRD (LEGAL), (LOCAL)
CRE (LEGAL)
CRF (LEGAL), (LOCAL)
CRG (LEGAL)
CY (LEGAL), (LOCAL)
DAA (LEGAL)
DBA (LEGAL), (LOCAL)
DBAA (LEGAL)
DBD (LEGAL), (LOCAL), (EXHIBIT)
DC (LEGAL), (LOCAL)
DCD (LEGAL), (LOCAL)
DEA (LEGAL), (LOCAL)
DEAA (LEGAL), (LOCAL)
DEAB (LEGAL), (LOCAL)
DEA, DG (LEGAL)
DEC (LEGAL), (LOCAL)
DECA (LEGAL)
DECB (LEGAL)
DEE (LEGAL), (LOCAL)
DF (LEGAL)
DFAA (LEGAL), (LOCAL), (EXHIBIT)
DFAB (LEGAL)
DFBA (LEGAL), (LOCAL)
DFBB (LEGAL), (LOCAL), (EXHIBIT)
DFCA (LEGAL), (LOCAL)
DFD (LEGAL), (LOCAL)
DFE (LEGAL), (LOCAL)
DFF (LOCAL)
DG (LEGAL)
DGA (LEGAL), (LOCAL)
DGBA (LEGAL), (LOCAL)
DH (LEGAL), (LOCAL), (EXHIBIT)
DHB (LEGAL)
DHC (LEGAL)
DHE (LEGAL), (LOCAL), (EXHIBIT)
DI (LEGAL), (LOCAL), (EXHIBIT)
DIA (LEGAL), (LOCAL)
DK (LEGAL), (LOCAL)
DL (LEGAL)
DMA (LEGAL), (LOCAL)
DN (LOCAL)
DP (LEGAL), (LOCAL)
EFE (LEGAL), (LOCAL)
EHBC (LEGAL), (LOCAL)
EIE (LEGAL), (LOCAL)
EKC (LEGAL)
FB (LEGAL), (LOCAL)
FEB (LEGAL), (LOCAL)
FFAC (LEGAL), (LOCAL)
FFG (LEGAL), (LOCAL), (EXHIBIT)
FFH (LEGAL), (LOCAL)
FFI (LEGAL), (LOCAL)
FL (LEGAL), (LOCAL)
FN (LOCAL)
FNCC (LEGAL), (LOCAL)
FNCD (LEGAL)
FNCG (LEGAL)
FNG (LEGAL), (LOCAL)
FO (LEGAL), (LOCAL)
GB (LEGAL)
GBA (LEGAL)
GKA (LEGAL), (LOCAL)
GKC (LEGAL), (LOCAL)
GKD (LEGAL), (LOCAL)
GRA (LEGAL), (LOCAL), (EXHIBIT)

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