HUMAN RESOURCE DEPARTMENT SPRING UPDATE

OFFICE OF HUMAN RESOURCES

JANUARY 2025

Sexual Discrimination Legal Action

- Employee in question will be placed on administrative leave pending investigation
- If convicted, the employee will lose certification and TRS retirement annuity
- The school district can be liable for financial damages for deliberate indifference if found guilty
- Deliberate indifference is when a school official has actual knowledge and does not report the knowledge to the proper personnel
- Parents may act on behalf of a minor student who is a complainant (alleged victim) or respondent (alleged accused)

Conduct on the basis of sex are defined by three types:

1. Quid Pro Quo
2. Hostile Environment
3. Sexual Violence

A quid pro quo is an employee making an aid, service or benefit of the district conditional on an student or employee's participation in unwelcome sexual conduct

A hostile environment is created when unwelcome conduct by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person's equal access to the recipient's education program or activity

Violence Against Women Act of 1994

- Sexual Assault
- Domestic Violence
- Dating Violence
- Stalking

Examples of Conduct for Sexual Discrimination

- Offensive gestures, emoji's or noises
- Sexist statements
- Looking at a person's body instead of his/her eyes
- Asking permission to hug, kiss, or inappropriate eye contact with employees/students
- Mocking individuals or aggravating comebacks
- The F*** word (can lead to automatic termination)
- Embarrassing colleagues in front of others

Examples of Conduct for a Hostile Environment

Obstruction of someone's movements, such as blocking them from leaving their office or classroom

Sexual, racist, or otherwise inappropriate joking

Mocking, teasing, or inappropriate actions towards someone on the basis of Title VII (gender, race, or religion)

Aggressive or embarrassing behavior towards another employee or district property

Starting rumors or sharing personal information that was confided with you

Degrading or ridiculing individuals on work performance in public or private whether professional or personal

Email & Phone Communication

- Be professional when using district email and texting other employees or students (Remind or other application) – do not use district email or texting to antagonize or "bully" others. If a concern is in question, call or talk to the person directly. Texts and emails can be used for investigative purposes, even if it is on a personal mobile phone
- Use professionalism with district phones, limit district phones for personal use and be professional with all callers
- Be careful with Emoji's – 😀 😐 😳 😫 😎
  - Emoji's are different on mobile phone carriers, they may look one way to you, but can change on another phone

Social Media & Reminders

Social Media	We do not discourage you from having accounts with social media, however, they are able to be viewed by students, parents, administrators, and employees – please take care when posting
Social Media	Do not follow students on their social media accounts nor post photos of students in your assigned classroom or department to your personal social media accounts (The newsletter/yearbook designee has access to this as there are students/faculty who object to being photographed/posted on social media)
Caution	When communicating with students, use the campus approved communication (Remind) application or website, do not issue students your personal cell phone number, home or email address Caution when joking around with students, use professionalism at all times. Do not assume the role of a counselor. Listen, acknowledge, and refer them to the appropriate department as appropriate
Vehicle/ Photographs	Do not take students home in your personal vehicle unless you are their parent or designated relative When photographing with students, refrain from placing your hands and/or arms around students. Hands and arms should be on the sides, crossed in front or below the upper chest area, or clasped behind the back of both the students and employees – basically where hands are visible away from the student and limit hand signs

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

01

Document actions via your preferred note-taking method

Administrators will ask for statements

02

Title IX policies are available on the district HR website page or contact HR

The key word is UNWELCOME

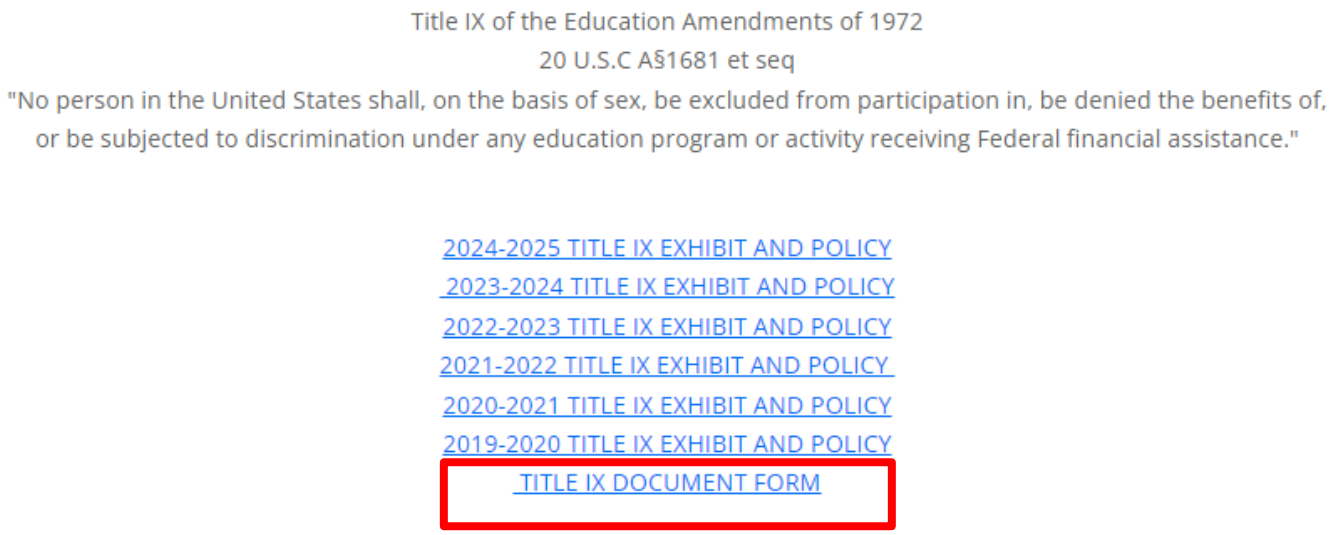
The complainant (victim) should tell the respondent (accused) that they find the conduct offensive

If the behavior continues beyond that point, a formal complaint will be introduced and an investigation will begin

The district will provide supportive measures to assist the student or employee while the investigation is pending

Who can report Sexual Discrimination and How

- Anyone can report Sexual Discrimination
- Reporting can be in any form easiest to maneuver by phone, email or visit to Central Administration
- There is a Title IX Document Form on the HR website page as a guide to help with details:



School District of Santa Maria
Title IX Administration

(Policy DIA, FB, FFH, FFI)

- Rene R. Salinas, Title IX Coordinator
  Student Support Services Director
- Elizabeth A. Stenhouse, Title IX Coordinator & Investigator
  Human Resource Specialist
- Jay Viera, Decision-Maker
  Principal, Santa Maria Middle School
- Salvador Acosta, Appellate Decision-Maker
  District Operations & Special Programs Director

Workers' Compensation

Texas Department of Insurance

Texas Association of School Boards (TASB) Risk Fund

* Visit with:

  Katherine L. Gonzalez, RN

  Patricia N. Reyes De Zapata, CNA

* If you have a minor injury and do not want to visit a doctor, a First Report of Injury (FROI) will be taken over the phone with HR or in person.

* If you have an injury and want to visit a WC doctor, the FROI along with other documents will be issued to you.

* If it is an injury and you are escorted in an ambulance, the WC paperwork will be sent to the hospital or emergency care center.

Your emergency contact must be current with HR

Report the injury the same day – do not delay or visit a non WC doctor – TASB can deny claims

Santa Maria ISD

Board Policy Manual

DEC Policy

Compensation and Benefits:

Leaves and Absences

Monday, December 9th – the Board of Trustees approved for the local leave of three (3) days to be moved to five (5) days.

This will be effective January 2025.

All non-certified professionals and hourly employees will be issued an additional two local (2) days to their leave account. You will see this added to your pay stub in January.

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Policy DEC

- Local Leave stays at 10 days maximum
- State Leave days are unlimited – 5 days per year

Driver License Reminder

* Under Senate Bill 1551, a driver who fails to provide their current driver's license could be charged with a Class B or C misdemeanor and a $500 fine if stopped

* You may not operate a district vehicle if you do not have a valid license with you

* Driver's Licenses must be current in your personnel file

