

# **Joaquin ISD**

**2017–2018**

## **Employee Handbook**

If you have difficulty accessing the information in this document because of a disability, please e-mail Donna Vergo at [dvergo@joaquinisd.net](mailto:dvergo@joaquinisd.net)



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# Employee Handbook Receipt

I hereby acknowledge receipt of a copy of the Joaquin ISD Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document. The employee handbook can be accessed at the district website [www.joaquinisd.net](http://www.joaquinisd.net).

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

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

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

## **Pest Management Policy**

The District prohibits the possession, storing or application of any kind of pesticide on school premises or as part of any of the District's activities. A pesticide is defined as a substance or mixture of substances intended for destroying, repelling or mitigating any pest. A pest is any living thing that exists where it is not wanted. (As defined by School IPM) Employees who violate this prohibition shall be subject to disciplinary sanctions.

## **Educator's Code of Ethics**

I hereby acknowledge receipt of the Code of Ethics and Standard Practices for Texas Educators located on the back. An additional copy has been given to me and is also included in the Joaquin ISD Employee Handbook.

# 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 Donna Vergo/Human Resources ext. 225 or [dvergo@joaquinisd.net](mailto:dvergo@joaquinisd.net).

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.joaquinisd.net](http://www.joaquinisd.net).

# **District Information**

## **Description of the District**

Joaquin ISD is a rural school district serving Pre-K – 12 on one campus. The district offers a career and technology program along with its strong academic program. The current enrollment is 680. Joaquin ISD has excellent community support which helps to enhance the quality of education available to the students. Joaquin is located in the Piney Woods of East Texas. Just 45 minutes southwest of Shreveport, Louisiana, it has easy access to all of the advantages of a metropolitan area including outstanding medical facilities, cultural and educational enrichment opportunities and shopping without the problems of city life. The major industries in the area include poultry, cattle and timber.

## **District Map**

## **Mission Statement, Goals, and Objectives**

### *Policy AE*

Joaquin ISD students will be provided the opportunity to develop and ability to think logically, independently and creatively, and to communicate effectively in a safe environment.

## **Philosophy Statement**

All students in the Joaquin ISD need to develop essential academic skills and to acquire a knowledge base on which to build lifelong learning. All students will be taught a core curriculum of English language arts, mathematics, science, social studies, fine arts, health, physical education, and technological literacy. All students will acquire knowledge of citizenship and economic responsibilities and an appreciation of our common American heritage, including its multicultural richness. To the full extent of their individual abilities, Joaquin ISD students will be provided the opportunity to develop the ability to think logically, independently and creatively, and to communicate effectively. Educating our children to be productive in a changing future necessitates an excellent educational system. A system that can accomplish this mission must be characterized by quality, equity and accountability. Instruction must be provided at the highest levels of quality. Educational opportunities and resources must be provided at the highest levels of quality. Educational opportunities and resources must be distributed with equity for all students. The educational system must maintain accountability for demonstrated results and

continuous improvement. Such a system will have vitality to prepare our children for changes and challenges of the future, a future that will belong to the educated.

## District Goals and Objectives

1. The district shall maintain employment practices that provide for high quality staff and support the professional development of all personnel through a well-planned comprehensive staff development plan.
2. The district shall develop curriculum to secure competency in core academic subjects so that all students reach their full potential.
3. The district shall continue to improve facilities and prioritize improvements to insure quality education.
4. The district shall be safe, disciplined and drug free.
5. The district shall encourage community and parental involvement in the educational process.
6. The district business is conducted using sound financial management.

## 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 and annually serve 3-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

Current board members include:

Mr. Chrisco Bragg	President	2020
Mrs. Tam Hearnberger	Vice President	2020
Mr. Ronnie Belrose	Secretary	2018
Mr. Brandon Neal	Trustee	2020
Mr. Thomas Harvey	Trustee	2018
Mr. Jeff Cater	Trustee	2019
Mr. Bill Mason	Trustee	2019

The board usually meets Monday at 6:00 p.m. In the event that large attendance is anticipated, the board may meet at Joaquin High School Auditorium. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and on the bulletin outside the Joaquin ISD 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 two-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.

## **Board Meeting Schedule**

*2017-2018*

*August 21, 2017*

*September 18, 2017*

*October 16, 2017*

*November 6, 2017*

*December 18, 2017*

*January 15, 2018*

*February 19, 2018*

*March 26, 2018*

*April 16, 2018*

*May 21, 2018*

*June 18, 2018*

*July 16, 2018*

## **Administration**

Phil Worsham, Superintendent  
Jimmy Jackson, High School Principal  
Terri Gray, Junior High Principal  
Sherry Scruggs, Elementary Principal  
Bert Coan, Assistant Principal/Truancy Officer  
School Calendar  
See school website at [www.joaquinisd.net](http://www.joaquinisd.net)

## **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.

## **School Directory**

See school website – [www.joaquinisd.net](http://www.joaquinisd.net)

# Employment

## Equal Employment Opportunity

*Policies DAA, DIA*

Joaquin ISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, sex, 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.

Employees with questions or concerns relating to discrimination for any of the reasons listed above should contact Phil Worsham, 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 under employment opportunities.

## Employment after Retirement

*Policy DC*

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

## Contract and Noncontract Employment

*Policy DC series*

State law requires the district to employ all full-time professional employees in positions requiring a certificate from the State Board for Educator Certification (SBEC) and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at-will or by a contract that is not subject to the procedures for nonrenewal or termination under

Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the district.

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

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

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

**Noncertified Professional and Administrative Employees.** Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) are not employed by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

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

## **Certification and Licenses**

### *Policies DBA, DF*

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to Donna Vergo/Human Resources ext. 225 in a timely manner.

A certified employee's contract may be voided without due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, 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

Donna Vergo/Human Resources ext. 225 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 Donna Vergo/HR ext. 225 if you have any questions regarding reverification of employment authorization.

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

### *Policy CQ, DHE*

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

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be

conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

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

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Donna Vergo/ HR ext. 225.

## **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, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to Donna Vergo/HR ext. 225.

## **Reassignments and Transfers**

### *Policy DK*

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

An employee with the required qualifications for a position may request a transfer to another campus or department. 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 last day of the previous school year. 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 Administration office and must be approved by the receiving supervisor.

## **Workload and Work Schedules**

*Policies DEAB, DK, DL*

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

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

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

## **Breaks for Expression of Breast Milk**

*Policies DEAB, DG*

The district supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with their supervisor to discuss their needs and arrange break times.

## **Notification to Parents Regarding Qualifications**

*Policies DK, DBA*

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. 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 Donna Vergo/HR ext. 225.

## **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.

## **Employee Involvement**

### *Policies BQA, BQB*

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

## **Staff Development**

### *Policy DMA*

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

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

# Compensation and Benefits

## Salaries, Wages, and Stipends

*Policies DEA, DEAA, DEAB*

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as 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 18.)

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 Joel Bumback/Director of Finance ext. 223 for more information about the district's pay schedules or their own pay.

## Paychecks

All professional and salaried employees are paid monthly. Hourly employees are paid 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.

The schedule of pay dates for the 2017-2018 school year follows:

<i>Payroll Cut-off Date</i>	<i>Payday</i>	<i>Time in Period</i>
<i>September 1, 2017</i>	September 25 (Friday)	4 weeks
<i>October 6, 2017</i>	October 25 (Wednesday)	5 weeks
<i>November 3, 2017</i>	November 17 (Friday)	4 weeks
<i>December 1, 2017</i>	December 22 (Friday)	4 week
<i>January 5, 2018</i>	January 25 (Thursday)	5 weeks
<i>February 2, 2018</i>	February 23 (Friday)	4 weeks
<i>March 2, 2018</i>	March 23 (Friday)	4 weeks
<i>April 6, 2018</i>	April 25 (Wednesday)	5 weeks

<i>May 4, 2018</i>	May 25 (Friday)	4 weeks
<i>June 1, 2018</i>	June 25 (Monday)	4 weeks
<i>July 6, 2018</i>	July 25 (Wednesday)	5 weeks
<i>August 3, 2018</i>	August 24 (Friday)	4 weeks

## **Automatic Payroll Deposit**

Employees can have their paychecks electronically deposited into a designated account. A notification period of 2 weeks is necessary to activate this service. Contact *Donna Vergo/HR* ext. 225 or *Joel Bumback/Director of Finance* ext. 223 for more information about the automatic payroll deposit service.

## **Payroll Deductions**

*Policy CFEA*

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

- Teacher Retirement System of Texas (TRS)
- 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.

## **Overtime Compensation**

*Policy DEAB*

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.

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 12:00 a.m. Saturday and ends at midnight Friday.

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 may be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

## **Travel Expense Reimbursement**

### *Policy DEE*

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

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

### *Policy CRD*

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

- Employees who are active, contributing TRS members

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

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact Donna Vergo/HR ext. 225 for more information.

## **Supplemental Insurance Benefits**

### *Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for \_dental, vision, cancer, long term disability, short term disability, and other products offered through our third party administrator. Premiums for these programs can be paid by payroll deduction. Employees should contact Donna Vergo/ HR ext. 225 for more information.

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

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

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

## **Workers' Compensation Insurance**

### *Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from \_September 1 through August 31st, effective September 1, 2017.

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 Donna Vergo/HR ext. 225. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits* for information on use of paid leave for such absences.

## **Unemployment Compensation Insurance**

### *Policy CRF*

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Donna Vergo/HR ext. 225.

## **Teacher Retirement**

### *Policy DEG*

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). 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 \_TRS\_ as well as Joel Bumback/Director of Finance ext. 223 as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web ([www.trs.texas.gov](http://www.trs.texas.gov)). See page \_\_\_ for information on restrictions of employment of retirees in Texas public schools.

## **REIMBURSEMENT FOR LEAVE UPON RETIREMENT**

The following leave provisions shall apply to state leave earned beginning on the original effective date of this program. An employee who retires from the District shall be eligible for reimbursement for state leave under the following conditions:

1. The employee's retirement is voluntary, i.e., the employee is not being discharged or nonrenewed.

2. The employee provides advance written notice of intent to retire. Contract employees must provide written notice at least 90 days before the last day of employment. Non-contract employees must provide written notice at least two weeks before the last day of employment.

3. The employee has at least ten years of continuous service with the District. The employee shall be reimbursed for each day of state leave, to a maximum of 50 days, at a rate established by the Board, \$100.00 for each day. If employee is reemployed with the District, days for which the employee received payment shall not be available to that employee. The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

## **Other Benefit Programs**

### **Nonresident Tuition**

Children of nonresident District employees may attend Joaquin ISD schools tuition –free grades K-12.

### **Pre-K Enrollment**

Children of resident and nonresident District employees may attend Pre-K at half the cost of the set tuition regardless of financial eligibility with the option of payroll deducting this amount over a 10 month period.

### **Athletic Events**

District employees are also admitted to Joaquin ISD athletic events free of charge.

### **Wellness Center**

District employees as well as their families have access to the Joaquin ISD Wellness Center located off the new gymnasium.

# 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 Donna Vergo/HR ext. 225 for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

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

- Local sick leave days when applicable (when sick or have doctor's appointment)
- Vacation (for employees who earn vacation day)
- Comp time (for employees who earn compensatory time)
- State leave days

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification.

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

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

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

**Medical Certification.** Any employee who is absent more than 5 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 Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we ask that employees and health care providers do not provide any genetic information in any medical certification. ‘Genetic information,’ as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

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

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

## **Personal Leave**

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of 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 2 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.

**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.

## **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 can be used only in half-day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

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 Sick Leave**

All employees shall earn two 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 sick leave accumulated before the 1995–96 school year. [See DEC(LEGAL)]

An employee may also use local leave for absences related to the birth or placement of a child when leave is taken within the first year after the child’s birth, adoption, or foster placement.

## **Extended Leave**

After all available state and local leave days have been exhausted, an employee shall be granted in a school year a maximum of 20 leave days of extended sick leave to be used for the employee’s personal illness or injury, including pregnancy-related illness or injury, or for absences related to the illness or injury of a member of the employee’s immediate family.

A written request for extended sick leave must be accompanied by medical certification of the illness or injury.

The average daily rate of pay for a certified substitute or one-half of the employee’s daily rate of pay, whichever is less, shall be deducted for each day of extended sick leave taken, whether or not a substitute is employed.

## **REIMBURSEMENT FOR LEAVE UPON RETIREMENT**

The following leave provisions shall apply to state leave earned beginning on the original effective date of this program.

An employee who retires from the District shall be eligible for reimbursement for state leave under the following conditions:

1. The employee’s retirement is voluntary, i.e., the employee is not being discharged or nonrenewed.
2. The employee provides advance written notice of intent to retire. Contract employees must provide written notice at least 90 days before the last day of employment. Non-contract employees must provide written notice at least two weeks before the last day of employment.
3. The employee has at least ten years of continuous service with the District.

The employee shall be reimbursed for each day of state leave, to a maximum of 50 days, at a rate established by the Board, \$100.00 per day maximum of \$5,000.00. If the employee is reemployed with the District, days for which the employee received payment shall not be available to that employee. The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

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

An employee who has exhausted all paid leave, including partially 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 leavepool, to which District employees may donate local leave or state personal leave for use by the eligible employee.

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.

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

1. Procedures to request the establishment of a sick leave pool;
2. The maximum number of days an employee may donate to a sick leave pool;
3. The maximum number of days per school year an eligible employee may receive from a sick leave pool; and
4. The return of unused days to donors.

## **Appeal**

All decisions regarding the establishment or implementation of the District's sick leave pool may be appealed in accordance with DGBA(LOCAL), beginning with the Superintendent or designee.

## **Family and 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;

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.

### **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.

### **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

## Local Family and Medical Leave Provisions

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

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

**Combined Leave for Spouses.** Spouses who are employed by the district are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

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

**Fitness for Duty.** An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee's ability to perform essential job function is required, 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.

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

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and

the district will maintain the employees group health insurance and reinstate the employee at the end of the leave according the procedures outlined in policy (see DECA (LEGAL)).

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

**District Contact.** Employees that require FML or have questions should contact Donna Vergo/ HR ext. 225 for details on eligibility, requirements, and limitations.

## **Temporary Disability Leave**

**Certified Employees.** Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

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

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

When an employee is ready to return to work, Joaquin ISD 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 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.

## **Jury Duty**

The district provides paid leave to employees who are summoned to jury duty. 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 of 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 or guardian of a child and any court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing may use personal leave or compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

## Religious Observance

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

## Military Leave

**Paid Leave for Military Service.** Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to 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. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the time

specified by law to Administration Office . 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 Donna Vergo/ HR ext. 225 for details on eligibility, requirements, and limitations.

# **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**

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

Joaquin ISD website [www.joaquinisd.net](http://www.joaquinisd.net) main page and facebook page and outdoor sign.

The Light and Champion newspaper and website [www.lightandchampion.com](http://www.lightandchampion.com)

Shelby County Today [www.shelbycountytoday.com](http://www.shelbycountytoday.com) online news.

# 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 is reprinted as follows:

***www.joaquinisd.net <http://pol.tasb.org/Policy/Code/1069?filter=DGBA> DGBA (Local) is found under Board of Trustees, Policy Online***

# 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.
- 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 may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent knew of the incident. See *Reports to the Texas Education Agency*, page \_\_\_\_ 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*

### **Statement of Purpose**

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. (19 TAC 247.1(b))

### **Professional 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 knowingly 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 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 or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

**Standard 1.12** The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of 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.

**Standard 1.14** The educator shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly or the educator attempted to conceal the communication;
- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;

- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

## **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.

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.

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

***See JISD Policy Online and search for DIA (LOCAL)***

## **Harassment of Students**

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

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. 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*, page \_\_\_ and *Bullying*, page \_\_\_ for additional information.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below from online policy linked to website (DHB Legal)

***“Solicitation of a romantic relationship” means deliberate or repeated acts that can be reasonably interpreted as the solicitation by an educator of a relationship with a student that***

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

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

*a. The nature of the communications;*

*b. The timing of the communications;*

*c. The extent of the communications; "REPORTED CRIMINAL HISTORY" "SOLICITATION OF A ROMANTIC RELATIONSHIP" Joaquin ISD 210902 EMPLOYEE STANDARDS OF CONDUCT DHB REPORTS TO STATE BOARD FOR EDUCATOR CERTIFICATION (LEGAL) DATE ISSUED: 2/8/2017 3 of 5 UPDATE 107 DHB(LEGAL)-P*

*d. Whether the communications were made openly or secretly;*

*e. The extent that the educator attempts to conceal the communications;*

*f. If the educator claims to be counseling a student, SBEC may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate authorities; and*

*g. Any other evidence tending to show the context of the communications between educator and student.*

*2. Making inappropriate comments about a student's body, creating or transmitting sexually suggestive photographs or images, or encouraging the student to transmit sexually suggestive photographs or images.*

*3. Making sexually demeaning comments to a student.*

*4. Making comments about a student's potential sexual performance.*

*5. Requesting details of a student's sexual history.*

*6. Requesting a date, sexual contact, or any activity intended for the sexual gratification of the educator.*

**7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.**

**8. Inappropriate hugging, kissing, or excessive touching.**

**9. Providing the student with drugs or alcohol.**

**10. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.**

**11. Any other acts tending to show that the educator solicited a romantic relationship with the student. 19 TAC 249.3(50) A superintendent may notify SBEC of any educator misconduct that the superintendent believes in good faith may be subject to sanctions by SBEC. 19 TAC 249.14(d)**

## **Reporting Suspected Child Abuse**

*Policies DG, DH, FFG, GRA*

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §26.001, to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion.

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 or disabled person.

Reports to Child Protective Services can be made to a local office 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 retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to report suspected child abuse may result in prosecution as a Class A misdemeanor. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

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

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

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

The district has established a plan for addressing sexual abuse and other maltreatment of children. 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 to law enforcement or to Child Protective Services (CPS).

Employees are required to follow the procedures described above in *Reporting Suspected Child Abuse*.

## **Reporting Crime**

### *Policy DG*

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

## **Technology Resources**

### *Policy CQ*

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

- Imposes no tangible cost to the district.

- Does not unduly burden the district’s computer or network resources
- Has no adverse effect on job performance or on a student’s academic performance

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

Employees are required to abide by the provisions of the acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact Landon Oliver/Technology Director ext 435.

## **Personal Use of Electronic Media**

### *Policy DH*

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

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

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

The employee may not set up or update the employee’s personal social network page(s) using the district’s computers, network, or equipment.

- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.

- The employee shall not use the district’s logo or other copyrighted material of the district without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee’s immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the 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 Policy DH (EXHIBIT)]
  - Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
  - Copyright law [See Policy CY]
  - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

See *Use of Electronic Media with Students*, below, for regulations on employee communication with students through electronic media.

## **Use of Electronic Media with Students**

### *Policy DH*

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the district through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee’s child, or a member or participant in the same civic, social, recreational, or religious

organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

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

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

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). *Electronic media* also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.
- *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 uses electronic media to communicate with students shall observe the following:*

- *The employee may use any form of electronic media except text messaging. 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:

***Select one or more of the steps below to establish the protocol employees must follow***

- The employee shall include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
- The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
- For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s district e-mail address.
- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of 12:00a.m. and 7:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the 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 DHB]

- 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 e-mail, 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.

## **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 SBEC rules

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.

## **Alcohol and Drug-Abuse Prevention**

*Policies DH, DI*

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

***The district's policy on drug abuse and drug-free schools is located online through our website at [www.joaquinisd.net](http://www.joaquinisd.net) under DH (Local), DI (Local), and DI (Exhibit).***

## **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

## **Conflict of Interest**

### *Policy CB, DBD*

Employees are required to disclose in writing to the district any situation that creates a potential conflict of interest with proper discharge of assigned duties and responsibilities or

creates a potential conflict of interest with the best interests of the district. This includes the following:

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

Employees should contact their supervisor for additional information.

## **Gifts and Favors**

### *Policy DBD*

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

## **Copyrighted Materials**

### *Policy 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 are to be used in the classroom for educational 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.

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

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

Employees with questions or concerns relating to safety programs and issues can contact Donna Vergo/HR ext. 225.

## **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. 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 Superintendent Phil Worsham, ext. 221, immediately.

## **Visitors in the Workplace**

### *Policy GKC*

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

## **Asbestos Management Plan**

### *Policy CKA*

The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each school. A copy of the district's management plan is kept in the Administration 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 in campus buildings and cafeteria. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written, or electric means. Pest control information sheets are available from campus principals or facility managers upon request.

## **Other Topics**

# General Procedures

## Bad Weather Closing

The district may close schools because of bad weather or 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:

***KDET 930 AM KSLA CHANNEL 12 KTBS CHANNEL 3 KTAL CHANNEL 6 KGAS 104.3 Joaquin ISD Facebook Page Also, the district has the capability to notify employees and parents of an unexpected need to release or close or delay school through services provided by School Messenger. This program will robo call provided telephone numbers with the appropriate message.***

## Emergencies

*Policies CKC, CKD*

All employees should be familiar with the safety procedures for responding to a medical emergency and the evacuation diagrams posted in their work areas. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all district buildings. Employees should know the location of these devices and procedures for their use.

## Purchasing Procedures

*Policy CH*

All requests for purchases must be submitted to the 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. No district VISA card numbers will be issued to employees without a prior requisition submitted through the district online requisition system. The district VISA is not to be used for online purchases. 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. The above purchasing procedures apply to all school district purchases including purchases from student and campus activity funds. Contact Joel Bumback, ext. 223 for additional information on purchasing procedures. Contact

Jennifer McCann ext. 221 for information on submitted requisitions, PO status, check requests and invoices.

## **Name and Address Changes**

It is important that employment records be kept up to date. Employees must notify the Administration office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from Donna Vergo HR/ext. 225.

## **Personnel Records**

*Policy DBA, GBA*

Most district records, including personnel records, are public information and must be released upon request. Employees may choose to have the following personal information withheld:

- Address
- Phone number, including personal cell phone number
- Information that reveals whether they have family members
- Personal e-mail address

The choice to not allow public access to this information may be made at any time by submitting a written request to Donna Vergo/HR ext. 225. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public.

## **Building Use**

*Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. Campus principals is responsible for scheduling the use of facilities after school hours. Contact Jennifer McCann/Admin Assistant ext. 221 to request to use school facilities and to obtain information on the fees charged.

## **Class, Club and Organization Sponsors**

Teachers are assigned to different classes and clubs to sponsor. The teachers are responsible for all activities involving their class or club. Teachers should plan and keep up with all

club/class activities. Sponsors should use prudent care when handling funds raised by the various classes/clubs/organizations. See “Fund Raising” section of this handbook.

## **Field Trips**

Field trips by class groups are considered educational projects when the teacher prepares the class for the undertaking. Much preliminary and post-excursion work should be done to make these trips truly educational ventures. Approval of the trips should be requested of the principal in advance. No child is to go on a field trip of any kind, including trips during class period when his/her parent has not signed a permission slip. The following guidelines will apply to field trips:

- No educational field trips, grades 6 – 12, are to be scheduled during the last week of a semester with the exception of STAAR reward trips during the second semester.
- Educational field trips may be scheduled anytime except the last two weeks of school for grades Pre-K through 5.
- The field trip buses must be back at the school no later than 2:30 p.m. unless prior arrangements have been made.
- Teachers/sponsors are responsible for ensuring that the school vehicles are returned clean, with at least a quarter of a tank of gas and in good order.
- Teacher(s)/sponsor(s) must ride the bus with their students on all field trips.
- Pre-K through 5 are allowed one educational field trip per school year per grade Level.

## **Fund Raising for Student Activity/Campus Activity Funds**

Student clubs with elected officers are classified as Student Activity Funds (SAF). Campus funds for groups led by the sponsor are classified as Campus Activity Funds (CAF). These organizations may be permitted to conduct fund-raising activities for approved school purposes. With the exception of the Junior class, only two major fundraisers per group are allowed per year. A “Fund Raiser Request” form must be submitted to the principal and approved at least two weeks prior to the event. An “Annual Student/Campus Activity Fund Report” must also be submitted to the principal at the beginning of each school year. All revenue collected by sponsors must be deposited promptly in the Student Activity Fund bank account for SAF or the General Operating Fund bank account for CAF. Sponsors are not to hold cash and/or checks in their possession. Fund raising activities last over a period of time and sponsors will not hold cash or checks but will turn them into the office daily. Under no circumstances should funds be held until the activity is over. All deposits need a “Deposit Request” form submitted with the money in a bank bag. These funds will be held in the school district vault until a deposit can be taken to the bank. Sponsors of CAF with numerous daily deposits will be given their own deposit slip book and take the deposits to the bank and turn in the yellow copy to the administration office. They do not need to submit a form with each deposit but each deposit slip must be clearly Joaquin ISD Employee Handbook 52 Revised May 2016 marked and noted with the name of the CAF and the type of fund raising activity. All fundraising expenses must be paid by school district check with authorization issued through prior approved Purchase Orders.

No expenses are to be paid from fund raising cash. For assistance with deposits, purchase orders and checks from Student Activity Funds, see Melissa Evans. Purchase orders and checks from Campus Activity Funds, see Jennifer McCann

## **Faculty Meetings**

Faculty meetings will be scheduled by the principals and will be held before or after school and all teachers/aides are required to attend. They are designed to keep teachers informed and to handle items in a professional nature.

## **Duty**

Teachers will be assigned duty before school, during and after school. These duties will be divided as equally as possible. If there is a problem, the teacher should arrange for a trade with another teacher with principal notification.

## **Employee Injury Reports**

Employees injured on the job should notify their supervisor or campus principal immediately. Seek the appropriate medical attention as soon as possible. An Employees First Report of Injury or Illness should be completed. For further details, please contact Donna Vergo, ext. 225

## **Personal Appearance**

The dress of the Joaquin ISD employees shall be clean, neat, and in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the superintendent. Professionally certified employees (teachers, counselors, administrators, etc.) must dress in a manner which demonstrates to students and parents that they are professional educators. Teachers aides and office personnel are also required to dress professionally. In order to demonstrate effective leadership and encourage students to comply with the dress code, it is imperative that employees present a pleasing and wholesome personal appearance at all times. It should be remembered that the community tends to judge all the school by the worst example they see. Therefore, if we want to be considered as the professionals we are, we must dress, look and act the part. The following articles of clothing are not permitted: • Tank tops, tube tops, spaghetti strap tops, off the shoulder blouses, or articles of clothing that expose undergarments, excessive cleavage or bare midriffs will not be worn. • All attire must be neat, pressed and clean. • Stretch leggings must be worn with top or tunic which measures at least 5 inches above the knee • Dresses and skirts can be no shorter than 4" above the knee, front and back. • Bermuda shorts, walking shorts, skorts, windsuits, jogging suits, and tee shirts (exception being school spirit tee shirts) are not allowed in the classroom. 59 • Physical Education teachers may wear shorts, no shorter than 4" above the knee, windsuits, jogging suits and tee shirts during designated physical education

classes only. • Blue jean pants and blue jean capri pants may be worn on the last day of the week only. School spirit tee shirts Joaquin ISD Employee Handbook 53 Revised May 2016 may be worn on this day only. Principals, directors, and other supervisors may allow exceptions to the dress standards for good cause such as teacher workdays or for employees who serve in assignments where variances in the dress code would be more appropriate. The District prohibits any clothing or grooming that in the principal's judgment may reasonably be expected to cause disruption of or interference within normal school operations. Employees shall come to school looking clean and neat wearing clothing and exhibiting grooming that will not be a health or safety hazard to others. The District prohibits pictures, emblems or writings on clothing that are lewd, offensive, vulgar, obscene, or that advertise or depict tobacco products, alcoholic beverages, drugs, or any other substance prohibited under policy FNCF (L) and prohibits any clothing or grooming that in the principal's judgment may be reasonably expected to cause disruption of or interference with normal school operations.

## **Arrival/Dismissal Time**

Teachers: All teachers, aides and office personnel will be in their rooms or their designated duty stations by 7:30 a.m. each day and may leave at 3:30 p.m. These times are subject to change depending on the scheduled duty roster assigned by the principal and/or director. Employees leaving on personal business during the day need to notify the office and sign out, no exceptions. A sign out sheet must be signed for those leaving on personal business during the day. For the teachers and aides there will be a sign-in sheet in the office. All hourly as well as non exempt personnel (aides) will clock in & out on the time clock located in the mailroom. **It is mandatory that all personnel leaving campus have it cleared with the Principal's Office.**

Students: Elementary students are to be released at their designated time. Elementary teachers are not allowed to release their students before this time. Secondary teachers should note their students are to be released when the bell rings and not before.

## **Time Clock/Computerized Time Clock Documentation**

All aides, cafeteria, clerical, custodial, maintenance and transportation personnel will clock in daily. Computerized time clock documentation will be maintained on all nonexempt employees for the purpose of wage and salary administration. Documentation should be given to the Administration Office on the dates designated by the Administration Office. **Any time worked beyond the normal 7:30 a.m. to 3:30 p.m. time for nonexempt employees must be approved by their campus principal or supervisor.**

## Travel in school vehicles

Personnel using school vehicles must fill out a Transportation Help Desk before they take the vehicle. Mileage should also be recorded when the vehicle is returned. It is the responsibility of the employee to ensure the vehicles are returned to campus clean with at least one quarter of a Joaquin ISD Employee Handbook 54 Revised May 2016 tank of gasoline All trash should be thrown away and spills should be cleaned up. Keys to vehicles are located in the mailbox where the cars are parked, the bus barn. The key to open the mailbox is the same key that opens the gate.

## Workshops

Teachers are encouraged to attend workshops during the summer months. Teachers need to limit the workshops during school hours. Before signing up for a workshop, you must pre-approve it with your supervisor/principal.

## School Opening Suggestions

- Read and study the Employee Handbook
- Read and study the Student Handbook
- Prepare a plan for distribution of textbooks
- Prepare a definite seating plan
- BEGIN TEACHING THE FIRST DAY!
- Send to the principal any new student who does not have a schedule or who has not registered.
- Check your scheduled duties
- See that new students get acquainted with the buildings, restrooms, cafeteria, Principal's office, etc.
- Establish classroom regulations by the end of the first week or sooner (what students may and may not do)
- Have students cover all textbooks
- Explain to students the rules about entering the leaving the building, school ground rules, dress, admit slip policy, gum/food in classroom, etc.
- Check each student's schedule to make sure they are in the right class

## Teacher Lesson Plan

Each teacher is responsible for developing specific lesson plans for each subject taught. Each Monday morning before 8:00 a.m. lesson plans for grades Pre-K through 12 need to be turned into your campus principal's office. TEKS objectives will be identified in each daily lesson plan.

## **Textbooks – procedures**

Teachers should supervise the proper care and use of these books by their students. Students will be assessed the price of any lost or damaged books. Students should be made aware of these facts Joaquin ISD Employee Handbook 55 Revised May 2016 from the onset. The teacher is responsible to request the number of books needed from the textbook coordinator. Textbooks, consumables, are assigned to each teacher. Extra books not needed at the beginning of the year must be kept in the textbook closet. If at any time during the year you need another textbook, check with your campus principal.

## **Workroom**

The workroom is for the convenience and use of all employees during their lunch period and conference period. Employees are requested to help keep the workroom as orderly as possible by throwing away empty drink cans, snack wrappers, and keeping work areas neat.

## **Pupil-teacher relationships**

The relationship of student and teacher is one between child or you and an adult. A teacher cannot be accepted as a peer part of the time and as a teacher another part of the time. There must be a clear-cut line where the teacher represents the figure of authority. Teachers and all employees must require that they are addressed as “Mr., Mrs., Ms., or Coach” at all times. There is an obligation for each employee to maintain this appropriate relationship.

## **Supervision of students**

Teachers are not to leave students unsupervised. All teachers, both elementary and secondary, are to be in the classrooms with their students at all times. Students must also be supervised when on the playground.

## **Discipline**

Good discipline is usually positive, rather than negative in nature. It consists of keeping students interested and busy doing things that are constructive and worthwhile, rather than punishing students for doing things that are destructive and anti-social. Since all students may not respond to positive discipline, punishment or curbing of some kind may be required. Good discipline is always fair, dignified and in good temper. Corporal punishment should be done in the presence of another district professional employee, and the parents should be notified in writing within 24 hours. Each student is responsible for his/her own behavior in school and

must accept full responsibility for the consequences of their misbehaving. It is not acceptable to punish an entire class for the misbehavior of a few students. For more information please refer to the district policy manual FO (Local) or [www.joaquinisd.net](http://www.joaquinisd.net). Teachers must keep a written record of students' inappropriate behavior and the punishment given on an approved form with a copy sent Joaquin ISD Employee Handbook 56 Revised May 2016 home and one given to the principal. All staff members are responsible for enforcing school rules on any part of the campus, not just in their classroom, i.e., pep rallies, sports activities, assemblies, etc. Remember, the principal is there to help you; however, the principal's office should not be considered an automatic dumping ground for every child who makes you feel trapped, threatened, or thwarted. The Student Code of Conduct and Guidelines for Transportation Discipline is located on our website at [www.joaquinisd.net](http://www.joaquinisd.net). Teachers must keep a written record of students' inappropriate behavior and the punishment given on an approved form with a copy sent home and one given to the principal. All staff members are responsible for enforcing school rules on any part of the campus, not just in their classroom, i.e., pep rallies, sports activities, assemblies, etc. Remember, the principal is there to help you; however, the principal's office should not be considered an automatic dumping ground for every child who makes you feel trapped, threatened, or thwarted. The Student Code of Conduct and Guidelines for Transportation Discipline is located on our website at [www.joaquinisd.net](http://www.joaquinisd.net).

## **Telephone use by students**

Students are to be excused from class to use the telephone in case of emergency. Under no circumstances are students to use telephones in a teacher's classroom, workroom, cafeteria, etc. Cell phones may only be used according to campus rules. If seen, and is in violation of the campus rule, they will be picked up from the student and the parent may retrieve it by paying \$15.00.

## **Student Cumulative records**

The cumulative record folders of each student are kept in the principal's office. It is the responsibility of the teacher to see that correct data is given to Melissa Evans to maintain accurate records for grades 6– 12. On the elementary campus Kindergarten teachers record in cumulative folder and grades 1-5 teachers are to see that the correct data is given to Lindsey Duck to enter into records.

## **Good housekeeping practices**

It is the teacher's responsibility to keep his/her room in order. With proper supervision, the students can help keep their room neat and clean. Paper and trash should be kept off the floor. At the end of the day, all trash should be placed in the trash can. Day porters will be responsible

to the maintenance director. Teachers should direct their comments/concerns to the campus principal and maintenance director

## **Grading and Grade books**

All students should be treated the same when it comes to make-up work, extra credit, etc. No grades should be withheld at the end of a reporting period unless the student has had an extensive absence and has not had enough time to complete make-up work. Each teacher should post a key in a file stating how six weeks and semester grades are figured. This information should be clearly explained to students at the beginning of each year. The grades should be denoted as daily grades, test grades, six-weeks and semester exam grades, and sixweek and semester averages. Grades should be updated every 2-3 days for the most current information for parents who access the Parent Portal. Absences should be marked in a manner that clarifies excused, unexcused, and school related absences.

## **Make up work**

When a student has been absent, he/she is required to gather all missed assignments on the day he/she returns to school. For Junior High and High School students assignments will be due on the next day the class meets. In elementary grades 1 – 5, students will have two days to make up missed work. Teachers are permitted to allow a grant of extended time to students.

## **Report Cards and Progress Reports**

Policy EIA35

Districtwide: Written reports of absences and student grades or performance in each class or subject will be issued at the end of the first three weeks of each grading period. Students with grades below 70 must return their progress report within three days. In the event this procedure is not followed, the homeroom teacher or designee assigned by the principal, will call the student's parents by phone to ensure notification of student performance.

Joaquin Elementary: At the end of the first three weeks of each grading period, you will send a written unsatisfactory progress report if a child's performance in any course (in English Language Arts, Mathematics, Science, or Social Studies) is near or below 70, or is below the expected level of performance. If your child receives a grade lower than 70 in any class or subject during a grading period, you will be requested to schedule a conference with the teacher of that class or subject.

A letter will be sent following the report card which will state whether tutorials are required for a student who receives a grade lower than 70 in a class or subject.

Report cards and unsatisfactory progress reports must be signed by the parent and should be returned to the school within 3 days.

### **Prekindergarten and Kindergarten**

Achievement is reported to parents as:

S = Satisfactory N=Needs to Improve U=Unsatisfactory

Joaquin ISD Employee Handbook 58

### **Elementary Grades**

In grades K-5, achievement is reported to parents with progress reports each three week period and with report cards each six weeks period. All reading/phonics, writing/grammar, and math grades will be reported as numerical grades. K-3 science, social studies and handwriting (if separate) will be reported as S (Satisfactory), N (Needs Improvement), or U (Unsatisfactory). Grades 4-5 science and social studies will be reported as numerical grades. Some subject areas may not have a grade for all 6 six week grading periods due to state assessment preparation. All PE, Art/Computer/Library, and Band will be reported as S (Satisfactory), N (Needs Improvement), or U (Unsatisfactory).  
NUMERICAL 90-100 = A; 80-89 = B; 70-79 = C ; 69 & BELOW = F  
S(Satisfactory) = 75-100; N (Needs Improvement )=70-75; U (Unsatisfactory)=below 70  
Conduct grades will be reported as S, N, or U.

### **Jr. High**

In grades 6 - 8 achievement shall be reported to parents as numerical scores. The District shall determine student academic achievement using a numerical score on a scale of 0 - 100 with 70 being passing.

- a. Six-Weeks Grades: A minimum of 10 grades will be taken each six weeks with no single grade counting more than 25%.
- b. Semester Grades: No single grade will count more than 25%.
- c. Yearly Grade: First Semester 50% Second Semester 50%

### **High School**

In grades 9-12 achievement shall be reported to parents as numerical scores. The District shall determine student academic achievement using a numerical score on a scale of 0 - 100 with 70 being passing.

- a. Six-Weeks Grades: A minimum of 10 grades will be taken each six weeks with no single grade counting more than 25 %.
- b. Semester Grades: No single grade will count more than 25%.
- c. Yearly Grade: First semester 50% Second Semester 50%

## **Promotion and Retention**

A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level.

In grades 1-8, students must have an overall average of 70 or above, as well as an average of 70 or above in both reading and mathematics to be promoted to the next grade level.

Effective in the school years set out below, student's satisfactory performance on STAAR examinations will be required for promotion. This requirement will be effective for the following students:

Fifth graders must pass the math and reading in the 2012-2013 school year

Eighth graders in the 2012-2013 school year

## **Food/Drinks**

Food/drink should not be allowed in any classroom without principal approval. This applies to all students. Remember, students follow the examples we set for them. Employees who choose to eat lunch in their classroom may do so. In the event of a class party, food/drinks should be taken to a designated area assigned by the principals. If a party is held in the classroom, the teacher is responsible for taking trash out of the classrooms and to a designated area

## **Recess**

No recess time will be scheduled during the last 30 minutes of the day.

## **Cafeteria Services**

We do not allow students or employees to charge meals/snacks without setting up a payroll deduction. All employees are given the opportunity to have money deducted from their paychecks for cafeteria meals for employees and employee children. The minimum amount to be deducted is \$25.00 monthly. A form will be handed to all employees in their employee packet at the beginning of school or upon hire. Due to a change in Food Service regulations, any balance owed the cafeteria at the end of each payperiod will be included in the following month's payroll deduction in addition to your regular monthly payment established on your Payroll Deduction Authorization for Cafeteria Charges form. The deduction will remain in effect until a new authorization to change or discontinue is submitted to the Administration Office. In the event an employee declines the use of the payroll deduction, employees must prepay for school meals for the month, week, or day.

## **Online Payments**

Lunch Money Now Easy-to-use, convenient, private, and secure. There is a convenience fee. Parents can check the fund account and usage anytime from the home computer or phone. Link to Lunch Money Now located on Joaquin ISD website, [www.joaquinisd.net](http://www.joaquinisd.net). Please call Judy Strong, Director of Food Service (936)269-4902 ext. 335 if you have any questions about the operation of the Food Service Department.

# Termination of Employment

## Resignations

*Policy DFE*

**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 Phil Worsham/ ext. 224. 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 superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in *Reports to the Texas Education Agency* on page \_\_\_\_.

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

## Dismissal or Nonrenewal of Contract Employees

*Policies DFAA, DFAB, DFBA, DFBB, DFD, DFF, DFFA, DFFB, DFFC*

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. 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

*Policy DCD*

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, gender, 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 \_\_\_\_.)

## **Exit Interviews and Procedures**

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

## **Reports to Texas Education Agency**

*Policy DF, DHB*

The dismissal of a certified employee must be reported to the Division of Investigations at TEA whenever the termination is based on 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 superintendent is also required to notify TEA when a certified employee resigns and there is evidence the educator engaged in the conduct listed above.

The reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee has a reported criminal history. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests,

detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

## **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 to the court and the individual receiving the support (Texas Family Code §§8.210, 158.211). Notice of the following must be sent to the court and support recipient:

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

# Student Issues

## Equal Educational Opportunities

*Policies FB, FFH*

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

Questions or concerns about discrimination of students based on any of the reasons listed above should be directed to Superintendent Phil Worsham/Administration Office ext. 221.

## Student Records

*Policy FL*

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

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

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

## Parent and Student Complaints

*Policy FNG*

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

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

## **Administering Medication to Students**

### *Policy FFAC*

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

## **Dietary Supplements**

### *Policies DH, FFAC*

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

## **Psychotropic Drugs**

### *Policy FFAC*

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

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

- Recommending that a student use a psychotropic drug
- Suggesting a particular diagnosis

- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student

## **Student Conduct and Discipline**

### *Policies in the FN series and FO series*

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

## **Student Attendance**

### *Policy FEB*

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, the student upon returning to school, must bring 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.

## **Injuries to children, first-aid, illness, and administering medication**

Parents shall be notified immediately when their child has been injured while in school or on the playground. Any injury requiring extensive first aid or medical treatment shall be reported on the Accident Report and will be kept on file in the principal's office. All children requiring first aid or who become ill should be sent to the nurse or office. Parents must be notified before a child is sent or taken home. No first aid is to be administered except by school personnel or the nurse. See Administration of Medications for guidelines. See policy FFAC.

## **Notes Home**

Please have all classroom notes to be sent home approved through the principal's office before they have been run off. It would be best to allow at least 2 days of lead-time for getting the notes approved unless it is an urgent situation. In this situation, the principal should be provided a copy of the note sent home with the reason for the urgency of the note.

## **Bullying**

### *Policy FFI*

All employees are required to report student complaints of bullying to the campus principal. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

[http://pol.tasb.org/Policy/Download/1069?filename=FFI\(LOCAL\).pdf](http://pol.tasb.org/Policy/Download/1069?filename=FFI(LOCAL).pdf)

## **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.

## **Policies and Laws pertaining to Extracurricular Participation**

Policy EIA, EIAB

House Bill 1949

*Education Code 28.0212—as follows*

*Education Code 33.081—as follows*

*§ 28.0212. FINALITY OF GRADE.*

*Text of section as added by Acts 2003, 78th Leg., ch. 194, § 1*

*An examination or course grade issued by a classroom teacher is final and may not be changed unless the grade is arbitrary, erroneous, or not consistent with the school district grading policy applicable to the grade, as determined by the board of trustees of the school district in which the teacher is employed. (b) A determination by a school district board of trustees under Subsection (a) is not subject to appeal. This subsection does not prohibit an appeal related to a student's eligibility to participate in extracurricular activities under Section 33.081. Added by Acts 2003, 78th Leg., ch. 194, § 1, effective June 2, 2003. For text of section as added by Acts 2003, 78th Leg., ch. 1212, § 7, see § 28.0212, post. SUBCHAPTER D. EXTRACURRICULAR ACTIVITIES § 33.081.*

*EXTRACURRICULAR ACTIVITIES. (a) The State Board of Education by rule shall*

limit participation in and practice for extracurricular activities during the school day and the school week. The rules must, to the extent possible, preserve the school day for academic activities without interruption for extracurricular activities. In scheduling those activities and practices, a school district must comply with the rules of the board. (b) A student enrolled in a school district in this state or who participates in an extracurricular activity or a University Interscholastic League competition is subject to school district policy and University Interscholastic League rules regarding participation only when the student is under the direct supervision of an employee of the school or district in which the student is enrolled or at any other time specified by resolution of the board of trustees of the district. (c) A student who is enrolled in a school district in this state or who participates in a University Interscholastic League competition shall be suspended from participation in any extracurricular activity sponsored or sanctioned by the school district or the University Interscholastic League after a grade evaluation period in which the student received a grade lower than the equivalent of 70 on a scale of 100 in any academic class other than an identified honors or advanced class. A suspension continues for at least three school weeks and is not removed during the school year until the conditions of Subsection (d) are met. A suspension does not last beyond the end of a school year. For purposes of this subsection, "grade evaluation period" means: (1) the six-week grade reporting period; or (2) the first six weeks of a semester and each grade reporting period thereafter, in the case of a district with a grade reporting period longer

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than six weeks. (d) Until the suspension is removed under this subsection or the school year ends, a school district shall review the grades of a student suspended under Subsection (c) at the end of each three-week period following the date on which the suspension began. At the time of a review, the suspension is removed if the student's grade in each class, other than an identified honors or advanced class, is equal to or greater than the equivalent of 70 on a scale of 100. The principal and each of the student's teachers shall make the determination concerning the student's grades. 70 (e) Suspension of a student with a disability that significantly interferes with the student's ability to meet regular academic standards must be based on the student's failure to meet the requirements of the student's individualized education program. The determination of whether a disability significantly interferes with a student's ability to meet regular academic standards must be made by the student's admission, review, and dismissal committee. For purposes of this subsection, "student with a disability" means a student who is eligible for a district's special education program under Section 29.003(b). (f) A student suspended under this section may practice or rehearse with other students for an extracurricular activity but may not participate in a competition or other public performance. (g) An appeal to the commissioner is not a contested case under Chapter 2001, Government Code, if the issues presented relate to a student's eligibility to participate in extracurricular activities, including issues related to the student's grades or the school district's grading policy as applied to the student's eligibility. The commissioner may delegate the matter for decision to a person the commissioner designates. The decision of the commissioner or the commissioner's designee in a matter

*governed by this subsection may not be appealed except on the grounds that the decision is arbitrary or capricious. Evidence may not be introduced on appeal other than the record of the evidence before the commissioner. Added by Acts 1995, 74th Leg., ch. 260, § 1, eff. May 30, 1995. Amended by Acts 1999, 76th Leg., ch. 1482, § 2, eff. June 19, 1999.*

*Procedures for verifying Extracurricular Participation*

- 1. The Principal is responsible for certifying a list of ineligible participants each 6 weeks and 3 weeks period for All extracurricular activities (Athletics, Cheerleaders, Band, FFA, FCCLA, Beta Club, UIL Spring Meet, etc.,)*
- 2. Coaches or sponsors of their respective event will require their participants to bring their progress reports to them to record a list and send to the Athletic Director, Sponsor or the UIL Academic Coordinator*
- 3. The Athletic Director, Sponsors or the UIL Academic Coordinator shall verify with the Principal the eligible and ineligible participants and both shall sign.*
- 4. After the list is verified a signed copy shall be sent to the Superintendent*

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