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# **PLAINVIEW ISD EMPLOYEE HANDBOOK 2021-2022**

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If you have difficulty accessing the information in this document because of a disability, please contact the Plainview ISD Human Resource Services Department @ 806-293-6000.

# Introduction

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

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 <http://pol.tasb.org/Home/Index/558>.

# Plainview Independent School District Employee Handbook Receipt & Acceptance Form

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Printed Name: \_\_\_\_\_

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

I hereby acknowledge that I have access to and that I accept responsibility for reading the Plainview ISD Employee Handbook which is located on the District's intranet, located on the website at [www.plainviewisd.org](http://www.plainviewisd.org) under the Staff tab. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

I acknowledge that, if I would like a hard copy of the handbook, I may print a copy on a District printer or make a copy on a District copier. A hardcopy of this handbook is maintained in the office of my campus or department.

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 the handbook. As the District provides updated policy information, I accept responsibility for reading and abiding by the changes.

I understand that the handbook does not modify contractual employment relationships nor alter at-will employment relationships.

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

I agree to surrender or account for all District property, equipment, and/or other required items upon request from the District.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*Please sign and date this receipt and forward it to your campus/department administrative assistant.*

# Plainview Independent School District Employment **Policies** Receipt Form

Printed Name: \_\_\_\_\_

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

## Annualized Salary

### Policy DEA(LOCAL)

The District shall pay all employees over 12 months in equal installments, regardless of the number of months employed during the school year. **Employees hired during the school year shall be paid in accordance with the remaining months of the 12-month pay structure as designated for their position assignment.**

## Employment Policies

Plainview ISD is governed by legal and local policies, as set forth by the state of Texas, Texas Education Agency, and the local Board of Trustees. The Plainview ISD Policy Manual may be accessed at the Plainview ISD website [www.plainviewisd.org](http://www.plainviewisd.org).

Throughout the year, as legislation is passed changing the rules governing school districts, PISD undergoes changes to comply with current law. Policies may also change as the district sees the need. You are encouraged to use the online policy as the most current version of the District's policies. Each campus, building, and office has Internet access available for your use. If you would like a hard copy of the policies, you may print a copy on a District printer or make a copy on a District copier.

## Drug-Free Workplace, Harassment, and Student Bullying Policies

Policies establishing a drug-free workplace are in DH(LOCAL), DH(EXHIBIT) and DI(LOCAL). Policies addressing harassment pertaining to employees are in DH series and DIA series; and for students in FFH series and FNC series. The student bullying policy is in FFI series.

## Student Discipline Laws & Student Code of Conduct

Texas Education Code 37.018 requires districts to provide each teacher and administrator with a copy of the student discipline laws located in TEC Chapter 37, Sections 37.001 through 37.022 as well as a copy of the related local policies: FN series (student rights) and FO series (student discipline). The policies may be accessed from the policy manual as outlined above. TEC Chapter 37 may be accessed on the Texas Association of School Board's webpage at: <http://www.tasb.org/services/policy/resources/safety.aspx>. The Plainview ISD Student Code of Conduct is available on the District website [www.plainviewisd.org](http://www.plainviewisd.org).

## Employee Standards of Conduct – Reports to SBEC

Policies detailing the required reporting to the Division of Investigation at TEA/SBEC are outlined in Policy DHB(LEGAL).

## Reporting Suspected Child Abuse or Neglect

The Commissioner of Education's Rule (19 TAC 61.1051) requires employees be provided information and an annual review on how and to whom to report their suspicion or knowledge of child abuse or neglect. Policy information related to procedures for reporting suspected child abuse or neglect is located in policies BQ(LEGAL), DH(LOCAL), DH(EXHIBIT), FFG(LEGAL), FFG(EXHIBIT), GRA(LEGAL), and GRA(LOCAL).

**To report suspected child abuse, neglect, or exploitation call the Texas Abuse Hotline @ 1/800-252-5400.**

It is important that all employees have access to current policies. Employment policies as well as all other District policies are available on the web @ [www.plainviewisd.org](http://www.plainviewisd.org). The online copy of the policy manual is the official policy manual of the district. If discrepancies occur between a printed copy and the current online version, the official online policy manual shall control.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*Please sign and date this receipt and forward it to your campus/department administrative assistant.*

# District Information

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## **Mission Statement, Preamble, Core Beliefs & Commitments**

### *Policy AE*

The mission of the Plainview Independent School District, in partnership with the community, is to graduate all students with skills and values to compete successfully as lifelong learners in society by addressing the needs and recognizing the worth of each student through a coordinated program of instruction in a safe, disciplined environment.

The Plainview ISD Board of Trustees values the notion that life circumstances should not limit our students' future success and that every employee, inclusive of the board of trustees, has a responsibility to ensure a quality education for our students. Given this premise, the Plainview ISD Board of Trustees developed the following Board core beliefs and commitments.

### **Student Achievement**

We believe that all children can learn at grade level and should be challenged beyond their learning potential so that the achievement gap starts to narrow.

We will allocate resources to ensure each student attains their full learning potential, social, emotional, and civic development.

### **Staff**

We believe in the value of each employee and in empowering each one to be an expert in his/her respective field.

We believe that a local, highly qualified staff can contribute more to the development of our students.

We will commit to provide the necessary resources to promote staff growth and development. We will promote a culture that treats staff fairly and respectfully.

### **Safety**

We believe that all Plainview ISD environments can be supportive, safe, and secure.

We will commit to ensure that all Plainview ISD environments follow the PISD security policies and approved policies.

We will commit to an established calendar review of all PISD facilities to ensure they meet supportive, safe, and secure standards.

### **Finance**

We believe that all PISD departments must follow all local, state, and federal laws regarding the management of school district funds.

We will commit to frequent PISD financial oversight to ensure lawful and ethical stewardship and transparency in the use of taxpayer dollars and to ensure tight alignment between student needs and district expenditures.

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### **Communication**

We believe in the provision of trustworthy and frequent communication with people and groups inside and outside PISD to cultivate and maintain positive relationships.

We will commit to a communication process that considers the perspectives of those affected by decisions into account.

### **Community/Diversity**

We believe in the value of our community, parents, grandparents, and caretakers.

We will commit to embrace differences to help our school district appreciate diversity and, in turn, continue to respect all who live within its boundaries.

We will commit to foster effective, engaging, and respectful involvement of families in the education process of the students of PISD.

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*PISD goals are aligned to the Core Beliefs and Commitments set by the Plainview ISD School Board*

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Under provisions of the Texas Education Code, every school district is required to develop a district plan to improve student performance. Plainview ISD utilizes a collaborative planning process including parents, business, community members, and staff input to develop the district's education plan. District and campus plans are developed annually to be mutually supportive of the state goals and objectives under Education Code, Chapter 4.

The District level planning team is known as the Educational Improvement Council (EIC). The plan they develop is known as the District Improvement Plan (DIP).

## **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 during even numbered years and serve four-year terms. *Policy BBB(LOCAL)*

Board members serve without compensation, must be qualified voters, and must reside in the district.

### **Current board members include:**

- |                      |                |
|----------------------|----------------|
| • Sylvia De La Garza | President      |
| • Adam Soto          | Vice President |
| • Amber Bass         | Secretary      |
| • Veronica Salazar   | Member         |
| • Tyler James        | Member         |
| • JoAnn Rey          | Member         |
| • Sofia Rivera       | Member         |

Customarily, the board meets monthly on the third Thursday of the month at 6:00pm in the Board Room of the Education Complex at 24<sup>th</sup> & Yonkers Street. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district Web site and at the administration building (2417 Yonkers St, Plainview TX) at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a one-hour notice.

All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session from which the public and others are excluded. Closed session may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or consulting with attorneys regarding pending litigation.

### **Board Meeting Schedule for 2021-2022**

2021: August 19, September 16, October 28, November 18, December 16

2022: January 20, February 17, March 10, April 21, May 19, June 16, July 21

# Plainview ISD

## 2021-2022 Instructional Calendar

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

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

September '21						
Su	M	Tu	W	Th	F	S
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October '21						
Su	M	Tu	W	Th	F	S
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November '21						
Su	M	Tu	W	Th	F	S
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December '21						
Su	M	Tu	W	Th	F	S
			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

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

February '22						
Su	M	Tu	W	Th	F	S
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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March '22						
Su	M	Tu	W	Th	F	S
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13	14	15	16	17	18	19
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27	28	29	30	31		

April '22						
Su	M	Tu	W	Th	F	S
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

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

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

- Staff Professional Dev.
- Early Dismissal
- Graduation
- Staff Work Day
- Holiday
- New Staff In-Service
- New Grading Period
- Bad Weather Day
- State Assessment Days

**This calendar is subject to change, as necessary.**

*Approved by the Plainview ISD Board of Trustees on April 15, 2021*

## **Helpful Contacts**

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

Theresa Burns	Payroll Manager Education Center: 293-6134
Doris Chapa	Chief Financial Officer Education Center: 293-6162
Sarah de la Fuente	Compliance Specialist-Human Resource Services Education Center: 293-6141
Jeff DeLaGarza	Director-MultiTiered System of Support (MTSS) Education Center: 293-6114
Julio DeLaGarza	Chief of Police Education Center: 293-6000
JoAnn Gamez	Benefits Specialist Education Center: 293-6140
Edna Garcia	Director-Federal & State Programs Education Center: 293-6187
Katrina Garrett	Director-Elementary Teaching & Learning Education Center: 293-6188
Rosie Licerio	Administrative Assistant to the Superintendent Education Center: 806-293-6000
Manuel Marin	Operations Manager Service Center: 293-6070
Brandy Merrick	Associate Superintendent-HR Education Center: 293-6137
Sandra Munoz	Records Specialist-HR Education Center: 806-293-6131
Kym Norrell	Payroll Manager Education Center: 293-6165
Yesenia Pardo	Assistant Superintendent-Elementary Education Center: 293-6132
Ryan Rhoades	Director-Athletics Plainview High School: 296-3353
Brent Richburg, Ph.D.	Chief Technology Officer Education Center: 293-6075
Robin Salazar	Director-Counseling & Assessment Education Center: 293-6143
Mary Sanchez	Director-Language Acquisition Education Center: 293-6187
Robin Straley	Executive Director-Secondary Education Center: 293-6191
Brandy Tirey	Director-Exceptional Education Education Center: 293-6090
Ivan Monarrez	Public Information Officer Education Center: 293-6103

# Employment

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## Equal Employment Opportunity

*Policies DAA, DIA*

In its efforts to promote nondiscrimination and as required by law, Plainview ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

In accordance with Title IX, the district does not discriminate on the basis of sex and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate extends to employment. Inquiries about the application of Title IX may be referred to the district's Title IX coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Jeff DeLaGarza, Director-MTSS, 2417 Yonkers ST, Plainview TX 79072, 806-293-6114, or [jeff.delagarza@plainviewisd.org](mailto:jeff.delagarza@plainviewisd.org). Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. Reports can also be made using the StopIT app available at <https://appweb.stopitsolutions.com/login/plainview/>. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Brandy Tirey, Director-Exceptional Education, 2417 Yonkers ST, Plainview TX 79072, 806-293-6090, or [brandy.tirey@plainviewisd.org](mailto:brandy.tirey@plainviewisd.org).

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

## **Job Vacancy Announcements**

### *Policy DC*

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

## **Employment after Retirement**

### *Policy DC*

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

***House Bill 1842, passed during the 84<sup>th</sup> Texas Legislative Session provides public school districts the opportunity to seek designation as a District of Innovation to obtain exemptions from certain provisions of the Texas Education Code. Plainview ISD adopted a District of Innovation Plan on March 9, 2017 exempting the District from TEC §21.003(a); TEC§ 21.057 – Teacher Certification requirements.***

**Probationary Contracts.** School Nurse (R.N.s) 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 contract should be given.

**Term Contracts.** Full-time professionals employed in positions requiring SBEC certification and school nurses (R.N.s) 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 have access to an electronic copy of their contract. Employment policies can be accessed online or copies will be provided upon request.

**Professional Agreement.** Employees in professional positions that require state licensure but do *not* require SBEC certification (such as Licensed Athletic Trainer, Licensed Vocational Nurse, Licensed Speech Language Pathologist, Licensed Specialist in School Psychology, Licensed Occupational Therapist, Licensed Physical Therapist, etc.) are employed by a one-year contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code.

**Nonlicensed & Noncertified Professional Noninstructional Employees.** Employees in professional noninstructional positions that do not require SBEC certification or state licensure (such as Financial Compliance Officer, Financial Services Officer, Payroll Manager, PEIMS Manager, Public Information Officer, Purchasing Manager, Network Administrator, Accountant, Accounts Payable Manager, Accounts Payable Specialist, Senior Buyer, Grant Project Manager, etc.) 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.

**Noncertified Noninstructional Administrative Employees.** Employees in administrative positions that do not require SBEC certification (Chief Financial Officer and other noninstructional administrators) are employed by a Chapter 21 probationary or term contract.

**Paraprofessional and Auxiliary Employees.** All paraprofessional and auxiliary employees, regardless of certification, are employed at will and not by contract. At will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the needs of the district. 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/licensing exam and/or obtained or renewed their credentials to the Plainview ISD Human Resource Services Department in a timely manner. Employees licensed by the Texas Department of Licensing and Regulation (TDLR) must notify Plainview ISD Human Resource Service Department when there is action against, or revocation of, their license.

A certified employee's contract may be voided without Chapter 21 due process and employment terminated if the individual does not hold a valid certificate or license or fails to fulfill the requirements necessary to renew or extend a temporary certification or permit, emergency certification or permit, probationary certification, intern certification, permit or professional license. A contract may also be voided if the State of Texas/state licensing entity or SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Plainview ISD Human Resource Services Department if you have any questions regarding certification or licensure requirements.

## **Recertification of Employment Authorization**

### *Policy DC*

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

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact the Plainview ISD HR Records Specialist if you have any questions regarding recertification 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 testing policies and related educational material should contact the Plainview ISD Education Center.

## **Health Safety Training**

*Policies DBA, DMA*

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. **Employees subject to this requirement must submit their certification or documentation to the Athletic Director by the end of September.**

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

## **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, the employee's current supervisor, and the receiving supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by June 25. 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.

## **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* in this handbook for additional information.

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

*Policy DG, DEAB*

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. Information relating to teacher certification will be made available to the public upon request.

### **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 & DP(LEGAL)*

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.

## **Nursing Peer Review Committee**

*Policy DP(LEGAL)*

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

## **Employee Involvement**

*Policies BQA, BQB*

At both the campus and district levels, Plainview 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 Plainview ISD Administration Office.

## **Staff Development**

*Policy DMA*

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

Individuals holding renewable SBEC certificates and state licenses are responsible for obtaining the required training hours and submitting/maintaining appropriate documentation for renewal.

# **Compensation and Benefits**

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## **Salaries, Wages, and Stipends**

*Policies DEA, DEAA, DEAB*

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

All employees will receive written notice of their pay and work schedules near the beginning of each school year. Classroom teachers, full-time librarians, full-time registered 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 stipend pay schedule.

Employees should contact the Plainview ISD Payroll Manager for more information about the district's pay schedules, or for information about their own pay.

## **Annualized Salary**

*Policy DEA(LOCAL)*

The District shall pay all employees over 12 months in equal installments, regardless of the number of months employed during the school year. Employees hired during the school year shall be paid in accordance with the remaining months of the 12-month pay structure as designated for their position assignment.

## **Paychecks**

All professional and salaried employees are paid monthly through direct-deposit.

### **Regularly scheduled pay dates for the 2021-2022 school year are as follows:**

**2021:** September 24, October 19, November 19, December 17

**2022:** January 25, February 25, March 25, April 25, May 25, June 24, July 25, August 25

### **Advance pay dates for 2021-2022 are:**

**2021:** September 10, October 8, November 10, December 10

**2022:** January 10, February 10, March 10, April 8, May 10, June 10, July 8, August 10

## **Automatic Payroll Deposit**

Employees will have their paychecks electronically deposited into a designated account. Contact the Plainview ISD Payroll Manager, for more information about the automatic payroll deposit service.

## **Payroll Deductions**

*Policy CFEA*

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

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

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations and certain charitable contributions approved by the board (such as United Way). Salary deductions are automatically made for unauthorized or unpaid leave.

## **Overtime Compensation**

### *Policy DEAB & DEC*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees, paraprofessional employees, etc.) 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 12:00am Sunday and ends at 11:59pm Saturday.

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

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

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

## **Travel Expense Reimbursement**

### *Policy DEE*

Before any travel expenses are incurred by an employee, the employee's supervisor and the Plainview ISD Business Office 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.

***Employees are required to return any unused advances and all receipts for travel within 5 days of returning from any district sponsored trip. Failure to do this within 5 days will result in these expenses being classified as funds owed to the district. These travel funds and any other funds determined to be owed to the district will be deducted from the employee's next paycheck.***

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

### *Policy CRD*

Group health insurance coverage is provided through TRS-ActiveCare (PPO), the statewide public school employee health insurance program or West Texas Blu Essentials (HMO), a regional 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 the Plainview ISD group health insurance coverage.

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 electronically and on the District Website. Employees should contact the Plainview ISD Benefits Specialist for more information.

## **Supplemental Insurance Benefits**

### *Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for dental, vision, income protection/disability, cancer, intensive care, accident, life, and legal. Premiums for these programs can be paid by payroll deduction. Employees should contact the Plainview ISD Benefits Specialist 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 administered by TASB Risk Management, effective the date of your employment. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to your supervisor. 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*, within this handbook for information on use of paid leave for such absences.

## **Unemployment Compensation Insurance**

### *Policy CRF*

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact The Texas Workforce Commission-Workforce Solutions of the South Plains @ (806) 293-8566.

## **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 also eligible to purchase a year of creditable service in TRS. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify the Plainview ISD Payroll Manager 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 additional entries within this handbook for information on restrictions of employment of retirees in Texas public schools.

## **Leaves and Absences**

*Policies DEC, DECA, DECB*

***Employees who expect to be absent for an extended period of more than three (3) days should call the Plainview ISD Benefits Specialist for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.***

Employees must follow district and department or campus procedures to report or request any absence and submit the proper certification, as required. **Any unapproved absences or absences beyond accumulated or available paid leave shall result in deduction(s) from the employee's pay calculated using the employee's daily rate.**

*Please refer to the electronic protocol for time off requests on the Plainview ISD Website/Staff Page/Time Off Request Instructions (Staff Page under links).  
<https://www.plainviewisd.org/domain/83>*

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The district offers employees paid and unpaid leaves of absence in times of personal need. This section of the handbook describes the basic types of leave available and restrictions on leaves of absence.

### **Local Leave**

All employees shall earn five (5) paid local leave days per school year in accordance with administrative regulations.

Local leave shall be used according to the same terms and conditions of state sick leave accumulated before the 1995–1996 school year [DEC (LEGAL)]:

1. Illness of the employee.
2. Illness of a member of the employee's immediate family.
3. Family emergency (i.e., natural disasters or life-threatening situations)
4. Death in the employee's immediate family.
5. During military leave (active military service).

An employee may donate *local leave* through membership in the Catastrophic Event Benefit (CEB). 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.

### **State Sick Leave**

State sick leave accumulated before the 1995-1996 school year is available for use and may be transferred to other school districts in Texas.

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

1. Illness of the employee.
2. Illness of a member of the employee's immediate family.
3. Family emergency (i.e., natural disasters or life-threatening situations)
4. Death in the employee's immediate family.
5. During military leave (active military service).

### **State Personal Leave**

State law entitles all employees to five (5) days of paid state personal leave per year. State personal leave for the current year is available for use at the beginning of the school year. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. State personal leave may be used for two general purposes: **nondiscretionary** and **discretionary**.

**Nondiscretionary**: Reasons for nondiscretionary leave allow very little, if any, advance planning. Nondiscretionary leave can be taken in the same manner as state sick leave: personal or family illness, family emergency, a death in the family, or active military service.

**Discretionary**: Leave taken at an employee's discretion that **can be scheduled in advance** is considered discretionary leave. An employee wishing to take discretionary leave must submit a request to his or her principal or supervisor seven (7) 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.

**Discretionary use of state personal leave shall not exceed three (3) consecutive workdays per semester and shall not be approved for more than five (5) workdays per semester.**

**Any unapproved discretionary state personal leave absence or any discretionary state personal leave absence beyond the limit set forth in policy shall result in deduction(s) from the employee's pay at the employee's daily rate.**

Discretionary state personal leave may not be taken on the following key days:

**Days scheduled for end-of-semester or end-of-year exams.**

**Days scheduled for State Assessment administrations.**

**Professional Development or Staff Development days.**

### **Order of Use**

Unless an employee requests a different order, available paid state and local leave will be used in the following order, as applicable:

- Local Leave
- State Sick Leave accumulated before the 1995-1996 school year
- State Personal Leave

Paid leave must be used in half-day increments. Earned comp time must be used before any available paid state and local leave.

Use of Catastrophic Event Benefit (CEB) days and extended sick leave shall be permitted only after all available leave has been exhausted.

**Immediate Family** For purposes of state and local leave eligibility (*except for FMLA eligibility and CEB eligibility*), family is defined as the following:

1. Spouse.
2. 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*.
3. Parent, stepparent, parent-in-law, or another individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

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

*For purposes of Catastrophic Event Benefit (CEB), the definition of family is limited to employee, spouse of employee, son or daughter (including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis), parent, stepparent, parent-in-law, or another individual who stands in loco parentis to the employee, grandparent, and grandchild.*

**Family Emergency** The term “family emergency” shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

**Leave Day** A “leave day” for purposes of earning, use, or recording of leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time. Leave shall be recorded in half-day increments for all employees. If the employee is taking *intermittent* FMLA, leave shall be recorded in one-hour increments.

**Availability** The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

**Leave Proration** If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first duty day, state 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.

**Medical Certification or “Doctor's Note”** An employee shall submit medical certification or “*doctor's note*” 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 if:

1. The employee is absent more than five (5) consecutive workdays because of a personal illness or illness in the immediate family;
2. The District requires medical certification or “*doctor's note*” due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent;

3. The employee requests Family Medical Leave (FMLA), Temporary Disability Leave, or days from the Catastrophic Event Benefit Bank for the employee's serious health condition or that of a member of the employee's immediate family; or
4. The employee requests FMLA for military caregiver purposes.

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

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**Continuation of Health Insurance.** Employees on an approved leave of absence other than family 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 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 FMLA. If an employee's unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

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*Effective September 1, 2001, a TRS member is entitled to one year of TRS membership service credit for 50 days or 400 hours of accumulated state sick and/or personal leave that is unused on the last day of employment before retirement. Only five days per year of state sick and/or personal leave may be accumulated per year toward the 50 days or 400 hours. Only TRS members, who retire on or after September 1, 2001, are eligible to establish sick and/or personal leave credit for TRS membership credit. To receive service credit, the member must pay the actuarial present value of the benefits attributable to the sick and/or personal leave credit. (For details, contact the TRS)*

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## **Catastrophic Event Benefit (CEB)**

*Policy DEC LOCAL & Administrative Regulations*

The District has established the Catastrophic Event Benefit (CEB) to alleviate some of the hardship caused to an employee and the employee's family (*family* as defined for CEB eligibility) when a nonwork-related catastrophic illness or injury forces the employee to exhaust all leave and lose compensation.

Use of Catastrophic Event Benefit (CEB) days shall be permitted only after all available leave has been exhausted.

Work-related injuries are not covered by the CEB and shall be subject to workers' compensation guidelines.

The CEB **cannot** be used for bereavement, routine surgery, or a normal pregnancy &/or newborn delivery without complications.

### **CEB eligibility**

Membership to the CEB Bank is available on a voluntary basis for all employees who work at least 20 hours per week, receive leave, and are eligible for Plainview ISD insurance benefits. Employees may join within 31 calendar days of initial employment or at such time the District designates an open enrollment period. CEB benefits may be requested for the following individual's/family members:

- Employee
- Spouse of employee
- Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*
- Parent, stepparent, parent-in-law, or another individual who stands *in loco parentis* to the employee
- Grandparent and grandchild

### **How to Join CEB Bank**

Initial membership requires a donation of three local leave days (Required Form: CEB MEMBERSHIP APPLICATION).

One to three local leave day(s) will be added to the CEB Bank per CEB Member each year of continued membership. The annual rate of contribution for future years of membership shall be determined and announced on or before open enrollment of each year. The annual rate of contribution will be based on the District's needs.

### **Continuation of Membership**

The following reimbursement and donation guidelines have been established for continuing membership in the CEB. Days for the new CEB membership year will be deducted from local leave, either those already accrued or those to be earned with the start of a new CEB membership/school year.

- CEB members using three or more days from the CEB bank during a CEB membership year will reimburse the CEB bank for the next CEB membership year a maximum of three local leave days.
- CEB members using fewer than three days from the CEB Bank will reimburse the CEB Bank for the new CEB membership year the number of days actually used **unless** the annual rate of contribution based on the District's needs for the next CEB membership year is determined to be greater than the number of days actually used by the member. For example, if the annual contribution rate for the next CEB membership year is determined to be three days, a reimbursement/donation combination of three days will be taken to continue CEB membership for the next CEB membership year.
- CEB members using zero days from the CEB Bank will donate the minimum number of days as determined based on the District's need for continued membership for the next CEB membership year.

**After joining, membership in the CEB carries forward from one year to the next without the employee needing to submit a new or continuing membership application.** The District will automatically deduct the leave day(s) required for continued membership for the new CEB year unless the employee chooses to cancel CEB membership **before the close of the open enrollment period for the new CEB year** (Required Form: CEB MEMBERSHIP CANCELLATION).

Any leave days donated remain in the bank and cannot be returned, even upon cancellation of the membership.

### **Enrollment Period**

Employees may join within 31 calendar days of initial employment with the District or at such time the District designates an open enrollment period. Open enrollment will occur on a yearly basis. Employees who do not join the CEB within 31 calendar days of initial employment or during an open enrollment period are ineligible to join until the next open enrollment period.

### **What Qualifies as Catastrophic for CEB eligibility?**

1. An illness or injury that requires 5 or more days of hospitalization with a statement from the attending physician (Required Form: MEDICAL CERTIFICATION) that the condition is life threatening and has totally incapacitated the individual from work; and requires the services of an M.D. or D.O. throughout the period of the leave; **or**
2. a major medical treatment such as surgery, chemotherapy, radiation and the like, with a statement from the attending physician (Required Form: MEDICAL CERTIFICATION) that the condition is life threatening and has totally incapacitated the individual from work and requires the services of an M.D. or D.O. throughout the period of the leave.

The condition of pregnancy shall **not** be covered as a catastrophic event. However, medical complications that arise from pregnancy and/or childbirth shall be considered. Routine illnesses and general surgeries do **not** qualify as catastrophic, in general.

Conditions known to exist (pre-existing conditions) on or before the initial CEB membership year will **not** be covered until the CEB member has completed an initial CEB membership year and met the requirements for CEB reinstatement for an additional year of CEB membership. A member requesting use of CEB days during their **initial** CEB membership year will sign a statement attesting to the fact that the condition, which necessitated the request for CEB days, was unknown to the employee at the time he/she became a member of the CEB. A doctor's verification (Required Form: MEDICAL CERTIFICATION) will also be required.

### **Requirements and Limitations**

Benefits from the CEB Bank will be available only after the member has exhausted all accumulated state and local leave days and any accumulated compensatory time. Employees who receive vacation days must also exhaust all those days.

Conditions known to exist (pre-existing conditions) on or before the initial CEB membership year will **not** be covered until the CEB member has completed one CEB membership year and met the requirements for CEB reinstatement for an additional year of CEB membership.

In no case will CEB benefits cause an employee to receive more than his/her expected salary.

CEB benefits should be requested in advance when it can be anticipated that CEB days will be needed (Required Forms: REQUEST FOR CEB DAYS & MEDICAL CERTIFICATION). This will help avoid temporary loss of wages. A request for benefits from the CEB Bank can be submitted in advance of the exhaustion of all accrued paid entitlement (state and local leave, compensatory, vacation, as applicable).

A CEB member may also request CEB benefits on a reimbursement basis. All requests for reimbursements shall be made no later than 3 days of the member's use of his/her last leave day for the catastrophic condition.

**The total amount of the benefit granted to any one member in any one CEB year will not exceed 30 CEB days with a life-time benefit of 90 CEB days.**

The CEB "year" is defined as September 1 to August 31.

### **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 Entitlement**

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

- The birth of a child or placement of a child for adoption or foster care;

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

An eligible employee who is a covered service member'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 service member 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, employers must continue health insurance coverage as if the employees were not on leave.

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

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

### **Eligibility Requirements**

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA. 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 FML. 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 Family Medical Leave Act (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 FML 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 FML 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 FML, and if so, how much leave will be designated as FML.

## **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](http://www.wagehour.dol.gov)

## **Local Procedures for Implementing Family and Medical Leave Provisions**

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period beginning on the employee's first duty day of the school year.

**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 permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

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

**Reinstatement.** An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employees group health insurance and reinstate the employee at the end of the leave according to the procedures outlined in policy (see DECA (LEGAL)).

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

**District Contact.** Employees that have questions should contact the Plainview ISD Benefits Specialist for details on FML eligibility, requirements, and limitations.

### **Extended Sick Leave**

*Policy DEC LOCAL*

After all available state and local leave days have been exhausted, as well as any leave days granted from the CEB, if applicable, an employee shall be granted in a school year a maximum of ten leave days of extended sick leave to be used for the employee's catastrophic illness or injury, including pregnancy-related illness or injury, or for absences related to the catastrophic 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 a substitute for the employee's position shall be deducted for each day of extended sick leave taken, whether or not a substitute is employed.

### **Temporary Disability Leave**

*Policy DEC LOCAL*

Any full-time employee shall be eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time employees who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. ***Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.***

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

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

When an employee is ready to return to work, the Plainview ISD Benefits Specialist should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties.

Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee

will be reinstated to a position at the original campus at the beginning of the following school year.

### **Workers' Compensation Benefits**

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

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

### **Assault Leave**

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. *An incident involving an assault as described above and below is a work-related injury and should be immediately reported to your supervisor.* An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.

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

### **Bereavement Leave**

Use of state leave and /or local sick leave for death in the immediate family shall not exceed ten workdays per occurrence, subject to the approval of the district.

### **Jury Duty**

*Policies DEC, DG*

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

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

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

### **Compliance with a Subpoena related to District business**

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

*Absences for court appearances related to an employee's personal business shall be deducted from the employee's leave or, at the employee's option, shall be taken as leave without pay.*

### **Truancy Court Appearances**

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

### **Religious Observance**

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

### **Military Leave**

*Policy DECB(LEGAL)*

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

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

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

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## **Leave for Peace Officers**

### **Mental Health Paid Leave**

SB 1359 created this new type of leave for peace officers to be effective September 1, 2021. This leave policy will be implemented as soon as practicable and will provide clear and objective guidelines for granting and use of mental health leave, make the leave available without a deduction in compensation, state the number of leave days available, and detail the limit of anonymity for a peace officer taking such leave.

### **Quarantine Paid Leave**

HB 2073 created this new type of leave for peace officers to be effective June 15, 2021. This leave applies if a covered employee is ordered by their supervisor or the local health authority to isolate or quarantine because of a possible or known exposure to a communicable disease while on duty. The person receiving leave under this provision shall receive all employment benefits and compensation for the duration of the leave and reimbursement for the cost of the quarantine such as lodging, medical treatment, and transportation. This leave is in addition to assisting leave.

# Employee Relations and Communications

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## Employee Recognition and Appreciation

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

Employees will be recognized with an award for every five years of service to the District, beginning with the tenth year. Service awards shall be offered to all certified, non-certified, and auxiliary personnel.

## District Communications

Throughout the school year, the Plainview ISD Public Information Officer publishes newsletters, brochures, flyers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

## 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 available to all employees online at

<http://pol.tasb.org/Policy/Code/558?filter=DGBA> (LOCAL)

# Employee Conduct and Welfare

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## Dress and Grooming

### *Policy DH (LOCAL)*

The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent.

## 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, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation 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 first learns of the incident. See *Reports to the Texas Education Agency* within this handbook 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. **The District holds all employees accountable to the *Educators' Code of Ethics*.**

## Texas Educators' Code of Ethics

### Purpose and Scope

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

### Enforceable 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 intentionally, knowingly, or recklessly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **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.

Any district employee who believes that he or she has experienced prohibited conduct based on sex, including sexual harassment, or believes that another employee has experienced such prohibited conduct, should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor, the campus principal, the Title IX coordinator, or the superintendent. The district's

Title IX coordinator's name and contact information is listed in the Equal Employment Opportunity section of this handbook.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation can be found at:

<http://pol.tasb.org/Policy/Code/558?filter=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. Any district employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct based on sex, including sexual harassment, of a student shall immediately notify the district's Title IX coordinator, the ADA/Section 504 coordinator, or superintendent and take any other steps required by district policy.

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

The district's policy that includes definitions of solicitation of a romantic relationship and procedures for reporting and investigating harassment of students can be found online at:

<http://pol.tasb.org/Policy/Code/558?filter=DHB> - *DHB (LEGAL)*

<http://pol.tasb.org/Policy/Code/558?filter=FFH> - *FFH (LOCAL)*

## **Reporting Suspected Child Abuse**

*Policies DG, GRA*

All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law to make a report to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

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

***Reports to Child Protective Services can be made online at <https://www.txabusehotline.org/login/default.aspx> or to the Texas Abuse Hotline (800-252-5400).***

***State law specifies that an employee may NOT delegate to or rely on another person or administrator to make the report.***

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

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

*Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal/supervisor. This includes students with disabilities who are no longer minors.*

**Employees are not required to report their concern to the principal/supervisor before making a report to the appropriate agency.**

Reporting the concern to the principal/supervisor 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**

*Policy FFG (EXHIBIT)*

The district has established a plan for addressing sexual abuse and other maltreatment of children which may be accessed at <https://pol.tasb.org/Policy/Code/558?filter=FFG> .

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

### **Reporting Crime**

*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.

## **Scope and Sequence**

### *Policy DG*

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

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

## **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 technology resources
- Has no adverse effect on job performance or on a student's academic performance

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

Employees are required to abide by the provisions of the 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 action. Employees with questions about computer use and data management can contact the Plainview ISD Chief Technology Officer.

## **Personal Use of Electronic Communications**

### *Policies CQ & DH*

Electronic communications 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 communications 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 communications as they are for any other public conduct. If an employee's use of electronic communications interferes with the

employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall limit use of personal electronic communications devices to send or receive calls, text messages, pictures, and videos to breaks, mealtimes, 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 *Electronic Communications between Employees, Students, and Parents* below, for regulations on employee communication with students through electronic media.

## **Electronic Communications between Employees, Students, and Parents**

### *Policy DH*

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may use electronic communication with currently enrolled students only about matters within the scope of the employee's professional responsibilities. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited.

Employees are not required to provide students with their personal phone number or email address.

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

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

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

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

counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
  - The employee shall include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message.
  - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message.
  - 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 10:00pm and 6:00am. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:

- Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
  - Copyright law [See Policy CY]
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student [See Policy DH & 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 any 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.
  - ***All staff are required to use school email accounts for all electronic communications with parents.*** Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district's record retention policy.
  - An employee shall notify his or her supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

## **Public Information on Private Devices**

### *Policy DH*

Employees should not maintain district information on privately owned devices. Any district information must be forwarded or transferred to the district to be preserved. The district will take reasonable efforts to obtain public information in compliance with the Public Information Act.

*Reasonable efforts may include:*

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

## **Criminal History Background Checks**

### *Policy DBAA*

Employees may be subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on certain employees 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.***

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

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

*Policy DH(LOCAL)*

Plainview 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 and may be referred to law enforcement for prosecution. The district's policy regarding employee drug use can be found online at:

<https://pol.tasb.org/Policy/Code/558?filter=DH>

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

*Policies DH, FNCD, GKA*

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

## **Fraud and Financial Impropriety**

*Policy CAA*

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

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities

- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district, except as otherwise permitted by law or district policy
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by 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 to their supervisor 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.

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

## **Charitable Contributions**

### *Policy DG*

The Board or any employee may not directly or indirectly require or coerce an employee to make a contribution to a charitable organization or in response to a fundraiser. Employees cannot be required to attend a meeting called for the purpose of soliciting charitable contributions. In addition, the Board or any employee may not directly or indirectly require or coerce an employee to refrain from making a contribution to a charitable organization or in response to a fund-raiser 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.
- Always keep work areas clean and orderly.
- Immediately report all accidents to their supervisor.
- Operate only equipment or machines for which they have training and authorization.

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

Employees with questions or concerns relating to safety programs and issues can contact the Plainview ISD Operations Manager @ 806-293-6070 or the Plainview ISD Chief of Police @ 806-293-6000.

## **Possession of Firearms and Weapons**

*Policies DH, FNCG, GKA*

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided the handgun or firearm or ammunition is properly stored and not in plain sight. 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 Plainview ISD Chief of Police @ (806)293-6000 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 at the Plainview ISD Service Center (Maintenance 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 the office area. 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 electronic means. Pest control information sheets are available from campus principals or facility supervisors upon request.

## **General Procedures**

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### **Emergency School Closing**

The district may close schools because of severe weather, epidemics, or other emergency conditions. When such conditions exist, the Superintendent or Designee 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 ([www.plainviewisd.org](http://www.plainviewisd.org)) and notify the following radio and television stations:

- Plainview Radio
  
- Four Lubbock television stations
  - ABC
  - CBS
  - NBC
  - FOX

**The Primary method of contact for emergency information will be through our automated call-out system, text alerts, and our email system. Employees are responsible for maintaining accurate contact information in Skyward Employee Access.**

### **Emergencies**

*Policies CKC, CKD*

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

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## **Purchasing Procedures**

*Policy CH*

All requests for purchases must be submitted to the Plainview ISD Business Office Purchasing Department with the appropriate approvals. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact the Plainview ISD Purchasing Department for additional information on purchasing procedures.

## **Name and Address Changes**

It is important that employment records be kept up to date. Employees must notify the Plainview ISD Records Specialist for Human Resource Services if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary.

## **Personnel Records**

*Policy DBA, GBA*

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

Employees may choose to have the following *personal* information withheld:

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

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

## **Facility Use**

*Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. Building principals are responsible for scheduling the use of facilities after school

hours. Contact the Maintenance Department @ (806)293-6070 to request use of school facilities and to obtain information on the fees charged.

### **Security**

All personal items are the responsibility of the individual owner. Because of alarm systems at all schools, only individuals who are issued alarm codes are authorized to enter a campus building after hours. The last person to leave a building is expected to activate the alarm system.

### **Mail Procedures**

#### *Policy DGB*

School mail/inter/intra-campus mail should be used only for official school business.

## **Termination of Employment**

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### **Resignations**

#### *Policy DFE, DHB*

**Contract Employees.** Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the campus principal or the employee's supervisor. Contract employees may resign at any other time only with the approval of the Superintendent. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

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

**Noncontract Employees.** Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to the campus principal or the employee's 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.

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

## **Dismissal or Nonrenewal of Contract Employees**

*Policy DF Series, DHB*

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

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

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

## **Dismissal of Noncontract Employees**

*Policies DCD, DP*

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

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

## **Discharge of Convicted Employees**

*Policy DF*

The district shall discharge any employee who has been convicted of or placed on deferred adjudication community supervision for an offense requiring the registration as a sex offender or convicted of a felony under Title 5 Penal Code if the victim was a minor. If the offense is more than 30 years before the date the person's employment began or the person satisfied all terms of the court order entered on conviction the requirement to discharge does not apply.

## **Exit Questionnaires and Procedures**

Exit interviews to complete an Exit Questionnaire 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**

*Policies DF, DHB, DHC*

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

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

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

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

## **Reports Concerning Court-Ordered Withholding**

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

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

# Student Issues

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## Equal Educational Opportunities

*Policies FB, FFH*

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

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to the Title IX coordinator, Jeff DeLaGarza, 2417 Yonkers ST, Plainview TX 79072, 806-293-6000, or [jeff.delagarza@plainviewisd.org](mailto:jeff.delagarza@plainviewisd.org) .

Questions or concerns about discrimination on the basis of a disability should be directed to the Director for Student Support Services-Brandy Tirey, the district ADA/Section 504 coordinator, 2417 Yonkers ST, Plainview TX 79072, 806-293-6000, or [brandy.tirey@plainviewisd.org](mailto:brandy.tirey@plainviewisd.org) .

All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

## Student Records

*Policy FL*

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

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

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

## **Parent and Student Complaints**

### *Policy FNG*

In an effort to hear and resolve parent and student complaints in a timely manner and at the ***lowest administrative level possible***, the board has adopted orderly processes for handling complaints on different issues. Any campus office or the Administrative Services 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.

## **Bullying**

*Policy FFI*

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyberbullying, to 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/Code/558?filter=FFI> ***FFI (Local)***

## **Bullying Prohibited**

The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

## **Definition**

Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school sponsored or school-related activity, or in a vehicle operated by the District and that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

Examples: Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

### **Retaliation**

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

### **False Claim**

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

### **Timely Reporting**

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

### **Reporting Procedures**

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

### **Prohibited Conduct**

The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

### **Investigation of the Report**

The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

### **Concluding the Investigation**

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

### **Notice to Parents**

If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

### **District Action**

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.

### **Discipline**

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

### **Corrective Action**

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

### **Transfers**

The principal or designee shall refer to FDB for transfer provisions.

### **Counseling**

The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

### **Improper Conduct**

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

### **Confidentiality**

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

### **Appeal**

A student who is dissatisfied with the outcome of the investigation may appeal through FNG (LOCAL), beginning at the appropriate level.

### **Records Retention**

Retention of records shall be in accordance with CPC (LOCAL).

### **Access to Policy and Procedures**

This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's Web site, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

### **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.