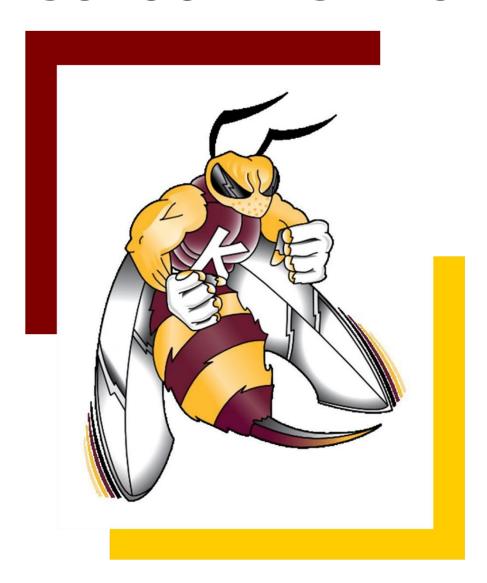
# **KERMIT INDEPENDENT SCHOOL DISTRICT**



# 2022-2023 **Employee Handbook**

If you have difficulty accessing the information in this document because of a disability, please e-mail <a href="mailto:gfuqua@kermitisd.org">gfuqua@kermitisd.org</a>.

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### **Employee Handbook Receipt**

Name
Campus-Department
I hereby acknowledge receipt of a copy of the Kermit ISD Employee Handbook. I agree to reac the handbook and abide by the standards, policies, and procedures defined or referenced in this document.
Employees have the option of receiving the handbook in electronic format or hard copy.
<ul> <li>★ Kermit Independent School District Home Page <a href="https:www.kermitisd.org">https:www.kermitisd.org</a></li> <li>➤ Staff</li> <li>■ KISD Policies &amp; Procedures</li> <li>□ KISD District Employee handbook 2022-2023</li> </ul>
Please indicate your choice by checking the appropriate box below:  I choose to receive the employee handbook in electronic format and accept responsibility for accessing it according to the instructions provided.  I choose to receive a hard copy of the employee handbook.
The information in this handbook is subject to change. I understand that changes in District policies may supersede, modify, or render obsolete the information summarized in this book. As the District provides updated policy information, I accept responsibility for reading and abiding by the changes.
I understand that no modifications to contractual relationships or alterations of at-wil employment relationships are intended by this handbook.
I understand that I have an obligation to inform my supervisor or department head of any changes in personal information such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the superintendent if I have questions or concerns or need further explanation.
Signature Date
Please sign and date this receipt and forward it to the campus-building secretary.

### Introduction

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

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:

### https:--www.kermitisd.org-.

**NOTE:** The health and safety of all students and staff remains a priority. Kermit ISD will continue to monitor the local health situation and communicate any updates or modifications as necessary. As a result, certain policies, procedures, and/or protocols in this document are subject to change based on evolving guidance. Thank you for your understanding.

### **District Information**

### **Description of the District**

Kermit Independent School District encompasses 398.09 square miles located in Winkler County, Texas, in the middle of the Permian Basin. The district is fully accredited (PK-12) by the Texas Education Agency.

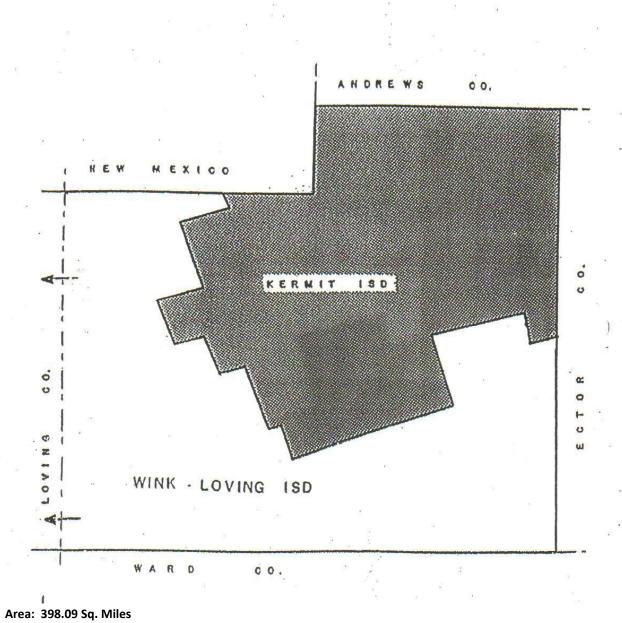
Kermit is a petroleum-producing and ranching area, which is the county seat and principal commercial center of Winkler County. The city is located at the intersection of State Highways 18 and 115 approximately 46 miles west of Odessa.

### **County Characteristics**

Winkler County is a west Texas county located in the Permian Basin with an economy based on mineral production. Minerals produced in the county include oil, gas, and salt. Principal sources of agricultural income include cattle and horses. Located nearby is the Monahans Sandhills State Park.

The 2010 census for the county was 7,110 population with a median income of \$62,363. (Data information used was obtained from the U.S. Census Bureau website.)

### **District Map**



### Mission Statement, Goals, and Objectives

Policy AE

# Board-Superintendent Goals 2022-2023 Adopted by the Board November 10, 2015

- Promoting a safe, orderly learning environment.
- Recruit, develop, and retain student-centered highly qualified employees.
- Provide engaging instruction to develop students who will be college and career ready.
- Provide prudent stewardship of District resources to best support student success, educational equity, and choice.

The mission of Kermit Independent School District, in partnership with the community, is to provide a comprehensive, caring educational experience for all children.

Kermit Independent School District creates a fulfilled, socially responsible, lifelong learner by nurturing the unique talents of each individual and promoting a culture of respect, which values diversity.

Kermit Independent School District remains driven by the expectation that we maintain the highest social and educational values.

No child will be left behind by striving for excellence today while preparing students for success in a technical world tomorrow.

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

#### Current board members include:

- District 1 Ricky Morales
- District 2 Odie Marshall,
- District 3 Lorina Lujan, Secretary
- District 4 Lee Lentz-Edwards, President
- District 5 Edward Davila
- At Large Ramiro Antillon, Vice President
- At Large Brian Awbrey

The board usually meets on the second Wednesday of the month at 7:00 pm in the boardroom of the Kermit ISD administration building. In the event that large attendance is anticipated, the board may meet at another location. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and window of the administration building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a one-hour notice.

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

### **Board Meeting Schedule for 2022-2023**

August 10, 2022 September 14, 2022 October 12, 2022 November 9, 2022

December 14, 2022

January 11, 2023

February 8, 2023

March 8, 2023

April 12, 2023

May 10, 2023

June 14, 2023

July 12, 2023

### Administration

Jose Lopez – Superintendent

Gayle Fugua – Executive Director of Finance and Human Capital

Roxane Greer – Executive Director of Special Education Instructional and Special Services

Gabe Espino – Executive Director of Non-Instructional Services

Pete Guajardo – Executive Director of Human Resources

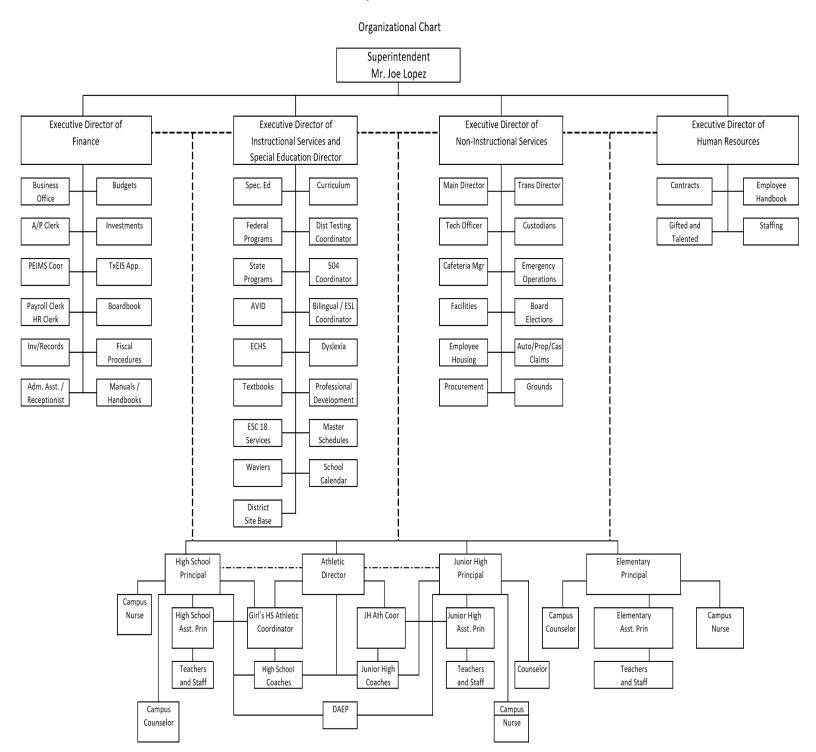
Cecilia Hayes – Principal – Kermit High School

David Leija – Acting Principal – Kermit Junior High School

Sonia Gonzales – Principal – Kermit Elementary School

Nate Gensler – Athletic Director

### Kermit Independent School District



### KERMIT INDEPENDENT SCHOOL DISTRICT

2022-2023 ACADEMIC CALENDAR

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KES DAY  $(2^{nd} - 4^{th})$  7:50 - 3:45 = 475 min KES DAY  $(PK - 1^{st})$  7:50 - 3:25 = 455 min

KJHS DAY (6th - 8th) 7:55 - 3:40 = 465 min KHS DAY (9th - 12th) 7:59 - 3:50 = 471 min

#### First Student Day

8-22-22

#### Student/Staff Holidays

9-5-22, 11-21 /11-25-22, 12-19-22 /1-2-23, 3-13-23 / 3-17-23, 4-7-23.5-29-23

#### New Teacher In-Service

8-4-22 & 8-5-22

Parent/Teacher Report Card Day: 10-5-22

#### **Graduation Day**

5-26-23

#### Report Card Days

10-5-22, 11-9-22, 1-4-23, 2-15-23, 4-12-23, 5-31-23

#### Progress Report Card Day

9-14-22, 10-24-22, 12-5-22, 1-25-23, 3-8-23,

Tutorial Time: 7:30 - 7:50 & 4:00 - 5:00 Teacher Workday: 7:30 a.m. - 4:00 p.m.

### Staff Development Days (SD)

**Student Holidays** 

8-8-22 / 8-19-22, 10-5-22, 1-3-23, 1-16-23, 2-13-22, 5-26-23

#### Early Dismissal Days

9-23-22; 12-16-22; 5-25-23

#### STAAR/EOC DAYS

12-6-22 /12-16-22 HS Re-testers 2-20-23 /3-31-23 TELPAS 3-27-23 /4-28-23 STAAR ALT 2 4-4-23 / 4-6-23 EOC English I & II 5-2-23 / 5-12-23 EOC Algebra, Bio, Hist 5-4-23 Grade 8 SS 5-5-23 Grade 8 Science 5-9-23 / 5-19-23 Grade 3-8 Reading, Math 5-9-23 / 5-19-23 Grade 5<sup>th</sup> Science 6-20-23 / 6-30-23 EOC Eng, Alg, Bio, Hist

#### Six Weeks

8-22-22 thru 9-30-22 28.5 days 10-3-22 thru 11-4-22 24 days 24.5 days 11-7-22 thru 12-16-22 1-4-23 thru 2-10-23 27 days 2-14-23 thru 4-6-23 33 days 4-10-23 thru 5-25-23 33.5 days SubTotal 172 days In-Service 15 days TOTAL 187 days MINUTES 1<sup>st</sup> Six Weeks Minutes 2<sup>nd</sup> Six Weeks Minutes 3<sup>rd</sup> Six Weeks Minutes 10920 11160 4th Six Weeks Minutes 5th Six Weeks Minutes 12285 15015 6th Six Weeks Minutes

TOTAL MINUTES 77615 Board Approved: 3-9-22 Revised 4-13-22

### **Helpful Contacts**

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

### **School Directory**

#### Administration

Kermit ISD Administration Office 601 South Poplar Kermit, Texas 79745 Phone: (432) 586-1000

### **Business and Human Capital**

Gayle Fuqua

Phone: (432) 586-1000

#### Instructional Services and K-W-L Special Ed Cooperative

Roxane Greer

Phone: (432) 586-1060

#### **Non-Instructional Services**

Gabe Espino Pete Guajardo Phone: (432) 586-1000 (432) 586-1000

#### **Athletic Department**

Athletic Director: Nate Gensler

Phone: (432) 586-1070

#### **Kermit ISD Office Hours**

The normal hours of operation for campus offices are 7:30 am to 4:00 pm, Monday thru Friday. The central administration office and the special education cooperative office normal hours of operation are from 7:30 am - 4:00 pm Monday thru Thursday and 7:30 am - 4:00 pm on Fridays. Lunch breaks are to be staggered by office secretaries so that the office will be open at all times.

**Human Resources** 

### **Kermit ISD District Summer Hours**

KISD district summer hours start Tuesday, May 30, 2023 and ends Friday, July 28, 2023.

Administration, Co-op, and Campus Offices will be open to the public from 7:30 am -3:30 p.m., Monday-Thursday.

#### **Custodians:**

Kermit High School, Kermit Junior High, and Elementary Custodial Hours will be 6:00 a.m. – 4:30 p.m., Monday-Thursday with a 30-minute lunch.

#### Maintenance:

Maintenance hours will be 6:00 a.m. - 4:30 p.m., Monday-Thursday with a 30-minute lunch.

All campus and district offices will be closed on Fridays for the summer.

The district will be closed the week of July 3, 2023 – July 7, 2023.

Note: The summer schedule is subject to change, if necessary, to account for unplanned district closures during the 2022-2023 school year, such as bad weather days.

### **Employment**

Equal Employment Opportunity Policies DAA, DIA

In its efforts to promote nondiscrimination and as required by law, Kermit 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: Gabe Espino, Executive Director of Support Services, 601 S. Poplar, <a href="mailto:agespino@kisd.esc18.net">agespino@kisd.esc18.net</a>, and (432) 586-1003. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA-Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Angela Florez, 504 Coordinator, 601 S. Poplar, <a href="mailto:aflorez@kermitisd.org">aflorez@kermitisd.org</a>, and (432) 586-1060.

Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent, Dr. Jose Lopez, 601 S. Poplar, Kermit, TX 79745, or phone (432) 586-1000.

# Job Vacancy Announcements *Policy DC*

Announcements of job vacancies by position and location are posted on a regular basis to the district's website: <a href="https://www.kermitisd.org">https://www.kermitisd.org</a>

# 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 (<a href="www.trs.texas.gov">www.trs.texas.gov</a>).

# **Contract and Noncontract Employment Policy DC series**

State law requires the district to employ all full-time professional employees in positions requiring a certificate from the State Board for Educator Certification (SBEC) and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at will or by a contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the district.

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

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

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

**Noncertified Professional and Administrative Employees.** Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) are employed by a one-year contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code.

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

# Certification and Licenses *Policies DBA, DF*

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and-or obtained or renewed their credentials to Roxane Greer, Executive Director of Instructional Services and Director of K-W-L Special Ed Cooperative in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify Dr. Jose Lopez, Superintendent 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 fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may

also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact Roxane Greer, Executive Director of Instructional Services and Director of K-W-L Special Ed Cooperative, 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 Roxane Greer, Executive Director of Instructional Services and Director of K-W-L Special Ed Cooperative if you have any questions regarding reverification of employment authorization.

# Searches and Alcohol and Drug Testing Policy CQ, DHE

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

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee

returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

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

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact the Superintendent at (432) 586-1000.

### Health Safety Training Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to Wendy Walker, School Nurse Coordinator, by the start of school or the renewal date of the certificate.

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

# Reassignments and Transfers *Policy DK*

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent or designee determines that the assignment or reassignment is in the best interest of the district. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes.

Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract.

Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by May 1. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Superintendent's office and must be approved by the receiving supervisor.

### Workload and Work Schedules Policies DEAB, DK, DL

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

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

**Paraprofessional and Auxiliary Employees.** Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See *Overtime Compensation* on page 26 for additional information.

# Breaks for Expression of Breast Milk *Policies DEAB, DG*

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

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

## Notification to Parents Regarding Qualifications *Policies DK, DBA*

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notice under ESSA is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call Pete Guajardo at (432) 586-1000.

# Outside Employment and Tutoring *Policy DBD*

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

# Performance Evaluation *Policy DN series*

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

All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

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

# Kermit Independent School District Texas Evaluation and Support System (T-TESS) Appraisal Calendar 2022-2023

August 8, 2022	ALL teachers to KISD report to work
August 8 - August 19	T-TESS 3-hour training for all teachers will be conducted on the specific dates provided by the campus Principal by August 20
August 22 – September 9	NO OBSERVATIONS- Three weeks following the completion of T-TESS orientation
August 22 – September 9	NO OBSERVATIONS – IStation-mCLASS Beginning of Year Reading Inventory (only in grades K-4)
September 12	Beginning date for formal and informal observation appraisal period
September 12	Goal-Setting and Professional Development (GSPD) Plan is due to the principal or assigned appraiser.
October 3	1 <sup>st</sup> Meeting on GSPD Plan to be completed
December 6-9	NO OBSERVATIONS –STAAR-EOC Testing grades only
January 4-13	NO OBSERVATIONS- iStation/mClass Middle of Year Reading Inventory (only in grades K-4)

March 3	Last day for the campus Principal to notify the Superintendent of any teacher, probationary or non-probationary, who may not be recommended for contract renewal. (ALL APPRAISAL RESPONSIBILITIES FOR THESE TEACHERS MUST BE COMPLETE.)
April 18-28 & April 25 – May 5	NO OBSERVATIONS –STAAR-EOC Testing grades only
April 28	Teacher contract renewals-non-renewals go the KISD board. (Tentative)
April 28	Last day to have formal observations
May 1	Written Summative to Teacher
May 1 – May 12	Set Conference for Returning Teachers for Goal Setting
May 2-12 May 15-19	NO OBSERVATIONS –STAAR-EOC Testing grades only NO OBSERVATIONS – iStation-mClass End of Year Reading Inventory (K-4)
May 5	Last day for all End of Year Conferences. (This will allow 15 days before the last day of instruction
May 12	Last day for Principals to forward each teacher's written EOY Annual Appraisal to Central Administration
May 25	Appraisal period ends on employee's last day.

# Employee Involvement *Policies BQA, BQB*

At both the campus and district levels, Kermit 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 Roxane Greer, Executive Director of Instructional Services and Director of K-W-L Special Ed Cooperative, at (432) 586-1000.

# Staff Development Policy DMA

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

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

### **Compensation and Benefits**

# Salaries, Wages, and Stipends *Policies DEA, DEAA, DEAB*

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 26.)

All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers, full-time librarians, full-time nurses, and full-time counselors will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

Employees should contact Lori Marshall at (432) 586-1000 for more information about the district's pay schedules or their own pay.

### **Paychecks**

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

The schedule of pay dates for the 2022-2023 school year are as follows:

August 18, 2022 November 18, 2022
September 16, 2022 December 16, 2022
October 18, 2022 January 18, 2023
February 17, 2023 May 18, 2023
March 17, 2023 June 16, 2023
April 18, 2023 July 18, 2023

### **Automatic Payroll Deposit**

Employees' paychecks will be electronically deposited into a designated account. A notification period of two weeks is necessary to activate and change this service. Contact Lori Marshall at (432) 586-1000 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
- Delinguent federal education loan payments, if applicable

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

### Overtime Compensation Policy DEAB

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. A

nonexempt employee who works overtime without prior approval will be subject to disciplinary action.

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:00 am Sunday and ends at 11:59 pm 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 may be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.

#### **Vacations**

Each noncontract employee in a position requiring 12 months or at least 238 workdays of service shall earn 80 hours of vacation time per year. Vacation time will be added to the employee's leave balance on the first-year anniversary of their employment. Each year thereafter, vacation time will be added on November 1<sup>st</sup>. Use of vacation time shall require advance approval by the Director of Non-Instructional Student Services or designee. Upon separation from employment, the district will not pay an employee for unused vacation time. Contact Lori Marshall at (432) 586-1000 for more information.

## Travel Expense Reimbursement *Policy DEE*

Before any travel expenses are incurred by an employee, the employee's supervisor and the Executive Director of Finance must give approval. This request for permission to travel is required 10 days in advance of a trip, allowing time for the business office to process your request. If forms are not delivered to the business office by the proper time, you will need to pay your own expenses and present receipts for reimbursement. 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.

**Meals** – KISD's meal allowance is as follows: breakfast \$7.00, lunch \$12.00 and dinner \$16.00. Gratuity and tax are not reimbursable, and receipts must be attached to the check request form. Employees are required to request reimbursement within two weeks of the event.

Transportation – Employees may request a school vehicle by completing a travel request form. This form must be submitted to the employee's supervisor and a central office administrator. If a school vehicle is unavailable, then mileage reimbursement will be made at a rate of the current state mileage reimbursement rate per mile. Mileage will not be paid unless a school vehicle was not available. You must attach a copy of the form or email from Gabe Espino letting you know that a vehicle was not available to your Personal Vehicle Use Claim Form. If this is not attached, you will not be reimbursed for your mileage. Beginning August 22, 2011, mileage will be calculated using an online mapping service such as MapQuest (city to city). Please attach a copy of your MapQuest result to the Personal Vehicle Use Claim Form. Coordination of travel is encouraged for those traveling to the same event on the same date with the same itinerary. Only one person out of a group may be reimbursed for mileage.

In some cases, it is more economical to fly to meetings; however, all flight plans must be approved by the Superintendent prior to the trip. If approved, the school will pay for your ticket. Please supply the central office with the proper forms or receipts.

**Lodging** – Your hotel or motel rooms will be paid by KISD. In an effort to hold the cost down on out-of-town school business trips, the business office will make reservations at motels whose best governmental rate is \$85.00 or less. All exceptions will need to be approved by the Business Manager prior to making the business trip. In the event your spouse or children accompany you on your trip, the district will be responsible for the single rate; you will assume responsibility for the difference between the single and double rates and-or multi-occupancy charges. (Example: The hotel single rate is \$85.00; double rates are \$90.00. KISD will pay the \$85.00 and you will be responsible for the \$5.00. Paid receipts must be returned to the business office.)

Registration - You must complete all registration paperwork for a workshop. These must have an Authorization for Expenditures form with purchase order or a check request attached unless fees are waived. You must never register on your own or you will be liable for registration fees. This is to avoid duplicate registrations. All registration is taken care of in the Business Office. If fees are waived, you will still need to turn in workshop information to the Business Office. A roster is kept for Staff Development. Turn in completed paperwork to your principal for budget coding and approval. Approved paperwork will be turned in to the Business Office for final approval. Please allow the KISD Business Office personnel at least 10 days to process them and prepare to mail.

**Credit Cards** – All credit cards will be checked out by the Business Office. Credit cards need to be returned to the Business Office within 48 hours upon return from trip. All receipts must be turned into the Business Office. All receipts need to be signed and a description of the travel should be included on the receipt (i.e., state track meet, TEKS Resource Conference, etc.).

**Incidental Expenses** – Taxi fare, parking fees, and other expenses that are incurred are eligible for reimbursement with proper documentation. All receipts turned in for reimbursement need to be signed and include a description of the travel on the receipt (i.e., state track meet).

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

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

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

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

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

# Supplemental Insurance Benefits *Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs. Premiums for these programs can be paid by payroll deduction. Employees should contact Lori Marshall, payroll coordinator, at (432) 586-1000 for more information. The district's third-party administrator is First Financial. The district's contact is Kendra Martin. She may be reached at (806) 632-1130 or Kendra.martin@ffga.com.

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

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

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

# Workers' Compensation Insurance *Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from TASB effective September 1, 2002.

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 the campus nurse. They, in turn, will notify Lori Marshall. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, page 39 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 Lori Marshall.

#### **Teacher Retirement**

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

Employees who plan to retire under TRS should notify TRS and Lori Marshall 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 (<u>www.trs.texas.gov</u>). See page 17 for information on restrictions of employment of retirees in Texas public schools.

### **Employer Match Program**

To assist in recruiting and retaining quality employees, the district has implemented an employer matching plan. Beginning September 1, 2018, employees may qualify for the Employer Sponsored 403(b) Match Plan contribution. The district match formula will be a 100% match to the Employer Funded 403(b) Plan when the employee contributes to the Group 457(b) Plan, up to 6% of pay. The employee's 403(b) account will be held in trust and would be vested on a gradual basis over four years. This means that that the employees will "own" an increasing share of the account as the employee remains with the district longer. Years of Service for employer vesting purposes are calculated from the date the employer match was established or the date of hire (whichever is later). The Vesting Schedule is as follows:

Years of Services	Vesting Percentage
1	25%
2	50%
3	75%
4	100%

Employees are always 100% vested in their own 457(b) account.

### **Leaves and Absences**

Policies DEC, DECA, DECB

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call

Lori Marshall at (432) 586-1000 for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

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

- Local leave
- State sick leave accumulated before the 1995-1996 school year
- State personal leave

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

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

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

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

**Medical Certification.** Any employee, who is absent more than three (3) days because of a personal or family illness, must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work.

The district may require medical certification due to an employee's questionable pattern of absences or when deemed necessary by the supervisor or superintendent. The district may also request medical certification when an employee requests FMLA leave for the employee's serious health condition, a serious health condition of the employee's spouse, parent, or child, or for military caregiver leave.

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

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

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

#### **Personal Leave**

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

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

**Discretionary.** Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor five (5) days in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

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

**State Sick Leave.** State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in half and full day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

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

- Employee illness
- Illness in the employee's immediate family
- Family emergency (i.e., natural disasters or life-threatening situations)
- Death in the immediate family
- Active military service

#### **Local Leave**

All employees shall earn five workdays of paid local leave per school year in accordance with administrative regulations. Local leave will be earned in increments of 0.5 days per month.

Local leave shall not accumulate.

Local leave shall be used according to the terms and conditions of state personal leave.

Links to Kermit ISD's policy online for local leave are as follows:

<u>Kermit ISD - Policy On Line - Policy Code DEC - COMPENSATION AND BENEFITS - LEAVES AND ABSENCES</u>

https://pol.tasb.org/Policy/Download/1254?filename=DECA(LEGAL).pdf

https:--pol.tasb.org-Policy-Download-1254?filename=DECB(LEGAL).pdf

Employees that choose to take a personal or sick day before/after a holiday on the school calendar may be subject to their pay being docked.

### Family and Medical Leave Act (FMLA)—General Provisions

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

#### **Leave Entitlements**

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

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- 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 leave, employers must continue health insurance coverage as if the employees were not on leave.

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

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

### **Eligibility Requirements**

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

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

### **Requesting Leave**

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

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

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

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

### **Employer Responsibilities**

<sup>\*</sup>Special hours of service eligibility requirements apply to airline flight crew employees.

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

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

#### **Enforcement**

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

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

For additional information:

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

### **Local Family and Medical Leave Provisions**

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period beginning on the 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 not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

**Fitness for Duty.** An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee's ability to perform essential job functions is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider.

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

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employees group health insurance and reinstate the employee at the end of the leave according to the procedures outlined in policy (see DECA (LEGAL)).

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

**District Contact.** Employees that require FML or have questions should contact Lori Marshall at (432) 586-1000 for details on eligibility, requirements, and limitations.

### **Temporary Disability Leave**

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

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's

statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

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

When an employee is ready to return to work, Lori Marshall 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 available, partial-day increments of sick leave or any other paid leave benefits to make up the difference between wage benefits and pre-injury or illness wages. While an employee is receiving workers' compensation wage benefits, the district will charge available leave proportionately so that the employee receives an amount equal to the employee's regular salary.

#### **Assault Leave**

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

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 non-responsible 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 paid leave for death in the immediate family shall not exceed five 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 of documentation of time spent at the court may be required.

### Compliance with a Subpoena

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

### **Truancy Court Appearances**

An employee who is a parent or guardian of a child and any court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing may use personal leave

or compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

### **Religious Observance**

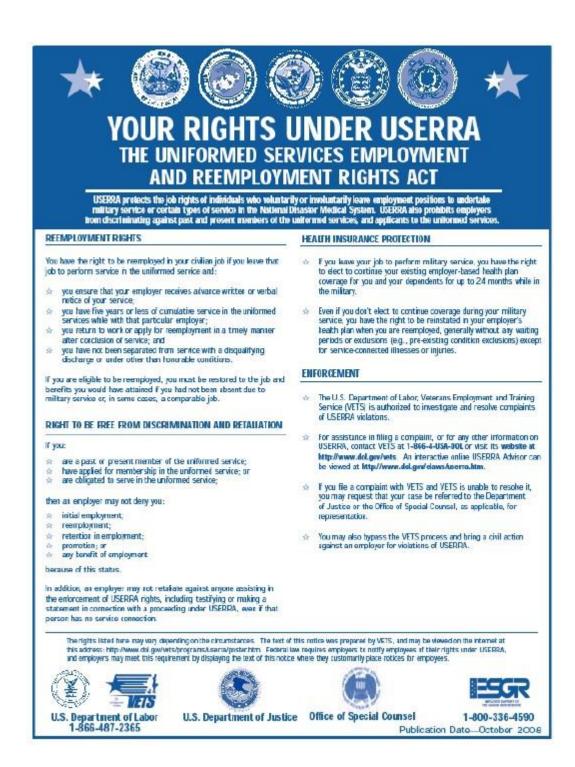
The district will reasonably accommodate an employee's request for absence for a religious holiday or observance. Accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the district. The employee may use any accumulated personal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

### **Military Leave**

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

Reemployment after Military Leave. Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the time specified by law. Employees returning to work following military leave should contact Pete Guajardo, Executive Director of HR. 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 Lori Marshall at (432) 586-1000 for details on eligibility, requirements, and limitations.



### **Reimbursement for Leave Upon Retirement**

An employee who retires from the district shall be eligible for reimbursement for state leave under the following conditions: (1) The employee's retirement is voluntary, i.e., the employee is

not being discharged or nonrenewed; (2) The employee provides advance written notice of intent to retire by March 15<sup>th</sup> and (3) The employee has at least five years of service with the district.

The employee shall be reimbursed for each day of state leave, to a maximum of 30 days, at the employee's most recent daily rate of pay for one-half the number of unused state leave days. If the employee is reemployed with the district, days for which the employee received payment shall not be available to that employee.

The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

## **Employee Relations and Communications**

### **Employee Recognition and Appreciation**

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, and through special events and activities. Recognition and appreciation activities also include teacher appreciation, service awards, and retirement dinner.

#### **District Communications**

Throughout the school year, the Superintendent's office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

Announcements and information from campuses and the central office are also put on the district website. School menus, activities, and ads also appear in the Winkler County News newspaper.

### **Complaints and Grievances**

### **Policy DGBA**

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

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. For ease of reference, the district's policy concerning the process of bringing concerns and complaints is reprinted as follows:

https:--pol.tasb.org-Policy-Download-1254?filename=DGBA(LOCAL).pdf

## **Employee Conduct and Welfare**

# Standards of Conduct Policy DH

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

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they
  must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and
  failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with department and district policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, 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 knew of the incident. See *Reports to the Texas Education Agency*, page 68 for additional information.

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

### Texas Educators' Code of Ethics

### **Statement of Purpose**

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall

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

#### **Professional Standards**

#### 1. Professional Ethical Conduct, Practices, and Performance

**Standard 1.1** The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

**Standard 1.2** The educator shall not 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 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 or distribution of controlled substances and-or abuse of prescription drugs and toxic inhalants.

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

#### 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.

### **Employee Dress Code**

Employees are held to a higher standard and must maintain a level of professionalism in their manner and dress.

- Male Employees:
  - Males with a mustache and-or beard must keep all facial hair neatly groomed at all times
  - Hair is limited to collar length of men's shirts should have a collar
  - No earrings allowed and any visible body piercing (nose, eyebrow, tongue, etc.) is not allowed.
- Female Employees
  - o Pants need to be mid-calf or longer
  - Sleeveless attire is acceptable
  - No leggings or form fitting pants will be allowed
  - No visible piercings are permitted with exception of ear lobes. Multiple ear piercings are acceptable if not excessive. Any visible body piercing (nose, eyebrow, tongue, etc.) is not allowed
- All Employees: Pre-K, PPCD, Life-Skills teachers and paraprofessionals, as well as nurses, have the option of wearing medical scrubs approved by the campus administrators
  - Professional dress
  - Blue jeans are allowed one day per week as scheduled by each campus administrator
  - Spirit shirts are to be worn with blue jeans
  - Colored jeans are not to be worn when you know in advance that you will be in view or presence of the public or parents (such as ARDs, assemblies, meetings. etc.).
  - o Faded or torn/ripped jeans are not acceptable at any time.
  - No T-shirts except on spirit day

- No shorts will be worn on school days. Physical education teachers may wear shorts on athletic fields and in gymnasiums; however, must dress professionally in academic settings
- o Employee footwear shall be approved by campus administration.
- Hair is to be well-groomed and clean at all times. Extreme modes of hair design and color will not be permitted other than a natural hair color.
- Tattoos are to be covered at all times

# 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 link to the district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is listed below:

https://pol.tasb.org/Policy/Download/1254?filename=DIA(LOCAL).pdf

# 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 suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, page 51 and *Bullying*, page 72 for additional information.

The link to the district's policy that includes definitions and procedures for reporting and investigating harassment of students is listed below:

https://pol.tasb.org/Policy/Code/1254?filter=FFH

# Reporting Suspected Child Abuse Policies DG, DH, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §26.001, to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

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

Reports to Child Protective Services can be made online at:

<u>https://www.txabusehotline.org/Login/Default.aspx</u> 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, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

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

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

#### Sexual Abuse and Maltreatment of Children

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed at www.kermitisd.org. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or Child Protective Services (CPS).

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

# Reporting Crime Policy DG

The Texas Whistleblower Act protects district employees who make good faith reports of violations of law by the district to an appropriate law enforcement authority. The district is

prohibited from suspending, terminating the employment of, or taking other adverse personnel action against, an employee who makes a report under the Act. State law also provides employees with the right to report a crime witnessed at the school to any peace officer with authority to investigate the crime.

### **Scope and Sequence**

### **Policy DG**

If a teacher determines that students need more or less time in a specific area to demonstrate proficiency in the Texas Essential Knowledge and Skills (TEKS) for that subject and grade level, the district will not penalize the teacher for not following the district's scope and sequence. The district may take appropriate action if a teacher does not follow the district's scope and sequence based on documented evidence of a deficiency in classroom instruction. This documentation can be obtained through observation or substantiated and documented third-party information.

## Technology Resources Policy CQ

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

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

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

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact Gabe Espino at (432) 586-1000.

### Personal Use of Electronic Communications *Policy DH*

Electronic communications include 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 include all forms of telecommunication such as landlines, cell phones, and web-based applications.

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

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, mealtimes, and before and after scheduled work 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 email addresses. [See Policy GBA]
- Copyright law [See Policy CY]
- Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See 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 communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited. Employees are not required to provide students with their personal phone number or e-mail address.

An employee is not subject to 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 means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes 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 Media, above. Unsolicited contact from a student through electronic means is not a communication.
- Certified or licensed employee means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

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

homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).

- The employee is prohibited from knowingly communicating with students through a
  personal social network page; the employee must create a separate social network page
  ("professional page") for the purpose of communicating with students. The employee
  must enable administration and parents to access the employee's professional page.
- The employee shall not communicate directly with any student between the hours of 10:00 p.m. and 6:30 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records.
     [See Policies CPC and FL]
  - Copyright law [Policy CY]
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through 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 supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

# Public Information on Private Devices *Policy DH, GB*

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

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

# **Criminal History Background Checks Policy DBAA**

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

# **Employee Arrests and Convictions Policy DH**

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

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

Moral turpitude includes the following:

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

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

# Alcohol and Drug Abuse Prevention *Policy DH*

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

https://pol.tasb.org/Policy/Code/1254?filter=DH

# **Tobacco Products and E-Cigarette Use** *Policies DH, FNCD, GKA*

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

# Fraud and Financial Impropriety *Policy CAA*

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

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

# Conflict of Interest Policy CB, DBD

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

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

Employees should contact their supervisor for additional information.

## Gifts and Favors Policy DBD

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

# Copyrighted Materials *Policy CY*

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for instructional purposes only. Duplication 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 fundraiser or attending a meeting called for the purpose of soliciting charitable contributions.

#### Safety

#### **Policy CK series**

The district has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See *Emergencies* on page 66 for additional information.

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

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

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

Employees with questions or concerns relating to safety programs and issues can contact Gabe Espino at (432) 586-1000.

### **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 view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or call the police at (432) 586-2577 immediately.

# Visitors in the Workplace *Policy GKC*

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

# Asbestos Management Plan *Policy CKA*

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

#### KERMIT INDEPENDENT SCHOOL DISTRICT

#### Notification of Asbestos in Kermit Independent School District

In compliance with the U.S. Environmental Protection Agency (EPA) Asbestos Hazard Emergency Response Act (AHERA), in the fall of 1988 we performed inspections of each of our original school buildings for asbestos containing building materials. The inspection findings and asbestos management plans have been on file in the school administrative office since that time.

The new constructed buildings have notification by the Architect that the supply or installation of asbestos containing materials was not specified or noted in the drawings.

The EPA requires us to perform reinspections of the asbestos materials every three years. An accredited management planner reviewed the results of the reinspections.

All asbestos materials in Kermit ISD are in good condition and we will continue to manage them in place, as recommended by the accredited management planner.

The Management Plan file can be viewed in the school's administration office anytime (M-F, 8:00 a.m. - 4:00 p.m.) and at each campus office.

## 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 on the main entrance of the doors. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written, or electric means. Pest control information sheets are available from campus principals or facility managers upon request.

#### NOTICE OF PEST CONTROL

This school periodically applies pesticides indoors. A 48-hour warning sign will be posted in advance of procedures.

Contact the IPM Coordinator, Juan Leyva at (432) 586-1080. We are regulated by the Texas Department of Agriculture, Structural Pest Control Service, P.O. Box 12847, Austin, Texas 78711-2847, Telephone: (512) 305-8250.



#### AVISO DE CONTROL DE PLAGA

Esta escuela periódicamente aplica plaguicidas en todo su interior. Un rotulo de aviso se exhibirá antes de tales procedimientos.

Por favor comunicase con Juan Leyva, el Coordinador de IPM al número (432) 586-1080. Estamos regulados por el Departamento de Agricultura de Texas, Servicio de Control de Plagas Estructurales, P.O. Box 12847, Austin, Texas 78711-2847, Teléfono: (512) 305-8250.

### **General Procedures**

### **Bad Weather Closing**

The district may close schools because of bad weather or other emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on the district's website and notify television stations KMID and KOSA and utilize the use of the district's telephone callout system.

## 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.

# Purchasing Procedures *Policy CH*

All requests for purchases must be submitted to the business department on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact Gayle Fuqua at (432) 586-1000 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 personnel office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from Lori Marshall at (432) 586-1000.

#### **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 is confidential and may not be released without the employee's permission.

Employees may choose to have the following personal information withheld:

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

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to Debbie Gutierrez. 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. Each campus administrator is responsible for scheduling the use of facilities after school hours. Contact Gabe Espino at (432) 586-1000 to request to use school facilities and to obtain information on the fees charged.

### **Termination of Employment**

### Resignations

**Policy DFE** 

**Contract Employees.** Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year.

A written notice of resignation must be submitted to the campus administrator and superintendent. Contract employees may resign at any other time only with the approval of the

superintendent or the board of trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The principal is required to notify the superintendent of an educator's resignation within seven business days following an alleged incident of misconduct for any of the acts listed in *Reports to Texas Education Agency* on page 68. 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 must be submitted to the campus administrator and superintendent at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

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

## Dismissal or Nonrenewal of Contract Employees *Policies DF Series, DHB*

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

The principal is required to notify the superintendent of an educator's termination within seven business days following an alleged incident of misconduct for any of the acts listed in *Reports to Texas Education Agency* on page 68. The superintendent will notify SBEC when an employee is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

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

# Dismissal of Noncontract Employees *Policy DCD*

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 44.)

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

# Discharge of Convicted Employees *Policy DF*

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

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

# Exit Interviews and Procedures *Policies DC, CY*

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

### **Reports to Texas Education Agency**

#### 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**

# Equal Educational Opportunities Policies FB, FFH

In an effort to promote nondiscrimination and as required by law, Kermit 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 Gabe Espino, the district Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to Angela Florez, the district ADA-Section 504 coordinator. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent, Mr. Joe Lopez, 601 S. Poplar, Kermit, Texas 79745 (432-586-1000).

#### **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 principal for assistance.

### **Parent and Student Complaints**

### **Policy FNG**

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

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

# Administering Medication to Students Policy FFAC

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

## Dietary Supplements Policies DH, FFAC

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

# Psychotropic Drugs Policy FFAC

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

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

- Recommending that a student use a psychotropic drug
- Suggesting a particular diagnosis
- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student

### **Student Conduct and Discipline**

Policies in the FN series and FO series

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

#### **Student Attendance**

Policy FEB

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

### Bullying

Policy FFI

Bullying is defined by §TEC 37.0832. All employees are required to report student complaints of bullying, including cyber bullying, to the campus principal. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is located on the district's website provided below:

https:--pol.tasb.org-Policy-Download-1254?filename=FFI(LOCAL).pdf

# Hazing Policy FNCC

Students must have prior approval from the principal or designee for any type of "initiation rites" of a school club or organization. While most initiation rites are permissible, engaging in or permitting "hazing" is a criminal offense. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing or has engaged in hazing must report that fact or suspicion to the designated campus administrator.

### KERMIT INDEPENDENT SCHOOL DISTRICT ABSENT FROM DUTY REPORT 2022 - 2023

EMPLOYEE NAME:		= EMPLOYE	-
		CAMPUS	ADMIN
CAUSE OF ABSENCE:			
PLEASE MARK ONE	01 PERSONAL ILLNESS	07 VACA	TION
ELGGE MARK ONE	02 FAMILY ILLNESS	08 JURY	
	03 PERSONAL REASON	09 COMP	
	04 DEATH IN FAMILY		IISTRATIVE
	05 FUNERAL	26 SPOR	
	06 IN-SERVICE DAYS	2001011	
ac .	oo ii, oeitiioe bitto		
			verene en
DATE(S) OF ABSENCE:		NUMBER OF DAYS	ABSENT:
SIGNATURE OF ATTE			URE OF EMPLOYEE
SIGNATURE OF ATTE			100
SIGNATURE OF ATTE	NGER THAN 3 DAYS	SIGNAT	155
SIGNATURE OF ATTE OR PRACTITIONER IF LO	NGER THAN 3 DAYS	SIGNAT	URE OF EMPLOYEE
SIGNATURE OF ATTE OR PRACTITIONER IF LO	NGER THAN 3 DAYS	SIGNAT	URE OF EMPLOYEE
SIGNATURE OF ATTE OR PRACTITIONER IF LO	NGER THAN 3 DAYS	SIGNAT	URE OF EMPLOYEE
SIGNATURE OF ATTE OR PRACTITIONER IF LO	NGER THAN 3 DAYS	SIGNAT	URE OF EMPLOYEE
SIGNATURE OF ATTE OR PRACTITIONER IF LO SIGNATURE OF SUBSTITUT	NGER THAN 3 DAYS	SIGNAT	URE OF EMPLOYEE
SIGNATURE OF ATTE OR PRACTITIONER IF LO	NGER THAN 3 DAYS	SIGNAT	URE OF EMPLOYEE

SIGNATURE OF ADMINISTRATOR

NOTE: Each employee must submit an Absence From Duty Report immediately after returning to duty. A written statement from the attending physician or practitioner must be submitted for an absence of three (3) or more continuous work days for a personal illness. When absent for more than three (3) consecutive days for illness in an employee's family, a statement is also required. This statement should appear either on this form or be attached securely hereto.

\* The District shall make state personal leave for the current year available for use at the beginning of the school year. Five days per school year.

\*\* All employees shall earn an additional five work days of local leave per school year at the rate of one-half work day at the first of each month starting in August through May.



## **Employee Transfer Form 2022-2023**

	ade:
Employee Signature	Date
Please submit this document	o your current administrator for approval.
Administrator Decision :( Circle one)	The state of the s
Comments:	
Signature of Administrators:	Da. 000 0000 April 1000 0000
<u> </u>	
<u> </u>	
	Superintendent
	Executive Director of Finance
×	
	Executive Director of Human Resource
	Executive Director of Human Resource

### KERMIT INDEPENDENT SCHOOL DISTRICT

### EMPLOYEE REQUEST FOR DISCRETIONARY LEAVE (Personal Business Leave)

Date:	(FOR OFFICE USE ONLY:	)
Γο: Campus Administrator		[Time Clocked In]
From:		
am requesting one two day(s) of d	liscretionary personal leave fo I understand that discretionar	
will be granted on a first-come, first-servemployees permitted to be absent at the salso understand that you, as the campus agranted or denied, at least 48 hours prior toware that this request must be submitted east five (5) days in advance of the antic	e basis, with a maximum of the discretionary periodininistrator, will notify me into the requested day of absention to the designated campus additional to the designated camp	hree(3) campus rsonal leave. I f the request is ce. I also am
Employee's Signature	Initials (Received by the Can Administrator)	Date upus
Dear —	<del></del> ,	
Your request for discretionary personal leave fo approved/denied. The reason for the denial is:	г	has been
1. Request was not within designated tin	me frame.	
2. Three other requests have already been	en submitted/approved for the date	requested.
3. The request violates board policy con	cerning dates discretionary leave s	shall not be allowed.
Campus Administrator's Signature		Date

### KERMIT INDEPENDENT SCHOOL DISTRICT

### CHECK REQUEST FORM

### SUBMIT AT LEAST FIVE DAYS PRIOR TO DEADLINE - CHECKS ARE PROCESSED ON WEDNESDAYS

Payable From: Bl	JDGET-ATHLETIC-C	AFETERIA-ACT	IVITY FUND	Name of Activity Fund or Bu	dget Account Code
PAYABLE TO:			-13 -13 -13 -13	STATEME	RECEIPT OR NT TO JUSTIFY NDITURES)
AMOUNT:					
IN PAYMENT OF	10 E				
Event Date:			Submitted By		Date
Approved By	Principal	Date	<b>-</b> 63	Business Office Approval	Date

NOTE: All information must be completed and signed by the person submitting the check request form and by the principal or supervisor. All incomplete forms will be returned, causing undue delay.

Attach to all medical certification forms or requests for medical information.

(Employee)

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II 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 are asking that you not provide any genetic information when responding to this request for medical information. "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's family member or an embryo lawfully held by and individual or family member receiving assistive reproductive services.

## Kermit Independent School District

### Master Calendar Event

This form is to be submitted to the Superintendent of Schools at least six days prior to the scheduled event for approval.

DATE OF REQUEST	Ţ	CAMPUS_		
PERSON SUBMITTI	NG REQUEST_			
EVENT				
HEATING/COOLING	G REQUIRED:	YES	NO_	
LOCATION TIME	DATE	BEGIN	TIME	END
TIME				
2.				
S				
				- 13
£				
50.				13-1 11-2
EVENT CANCELLE	D	a		
EVENT CHANGED				
SPORTING EVENT	SCHEDULES M	IUST BE ATTA	ACHED TO	O THIS FORM
APPROVED BY				
(2) S	Administ	rator	Up-es-	
ADDROVAL OF SUIT	EDINTENDENT			

	KERMIT INDEPEN	IDENT SCHOOL DISTRICT	
	AUTHORIZATIO	N FOR EXPENDITURE	
Person Making Request		Da	ate
Campus	Department/Grade Level	Position	
CP/DIP (Circle One	) Goal/Objective/Strategy thak	references this expenditures	Goal Obj Strat
CIP/DIP Descriptions			304 300t
	PURCHA	ASE ORDERS	
Vendor Name (Check Made	Payabic Tol		Cost \$
		Fund Fund Object	Sub-Ga) Ang Year
Rationale ausporting now th	is expenditure who nerease stude	r Lachievement:	
	STAFF DE	VELOPMENT	
Conterence/Workshop		Total Fee for Conference/V	Verkshop 5
Date(s) of Workshop			
A of Attendees	7	Fund Funt Object	Sub-Cl <sub>1</sub> Gr <sub>2</sub> Year
Attendee #1	Attendee #2	Attendee #3	
Attended #4	Attendee #5	Attendee #6	
		w you will embed your staff covolopr	
training into practice on your	campus.		
	OFFICE	USE ONLY	The let the an extend of
5	OFFICE	OSE GIVET	
Facl \$		Total Tune Object	StoCol Dig Year
Meals #1 5	Moals #2 \$	Meals #3	
Meals #4 \$	Micels 45 \$	Mea's #6	s
Motel/Hotel \$		Hotel Name	
Air (are \$		Airline	
Rental Car \$	Re	ental Car Co	
Grade L	evel/Department Chair Anproval		Dete
	Principal/Supervisor Appreval		Date
	Program Onector Approval		Date
	Business Manager Approval		Date
:WELD: 7/20/11			

# EMPLOYEE COMPLAINT FORM LEVEL ONE

To file a complaint, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the appropriate administrator within the time established in DGBA (LOCAL). All complaints will be heard in accordance with DGBA (LEGAL) and (LOCAL) or any exceptions outlined therein.

Name	
	_).
Position	Department/Campus
If you will be represented in	voicing your complaint, please identify the person representing you;
Name:	
Address:	
Please describe the decision details):	or circumstances causing your oumplant (give specific factual
What was the date of the dec	ixion or circumstances causing your complaint?
Please expluin how you have	been harmed by this decision or circumstance:
Please describe any efforts ye responses to your offorts.	on have made to resolve your complaint informally and the

With whom did you communicate?	_
On what date?	
Please describe the outcome or romedy you seek for this complaint:	
Employee signature	
Signature of employee's representative	
D	
Date of filing	

Complainant, please note:

A complaint form that is incomplete in any material way may be dismissed, but may be refiled with all the required information if the refiling is within the designated time for filing a complaint.

Attach to this form any documents you believe will support the complaint; If unavailable when you submit this form, they may be presented no later than the Level One conference. Please keep a copy of the completed form and any supporting documentation for your records.

## Response to Level One Complaint

(Date)		
(Complainant's name)	_	
(Address)	_	
Dcar		
Having considered the complain	nt we discussed in our Level One conference on	(date),
I have decided on the following (Note: When preparing For the following reasons, I am	g response: y this letter, include only one of the following senten unable to provide the remedy you seek:	ces.j
I will take the following actions	s to grant the remedy you seek for your complaint:	
Afthough I am unable to provide a provide a p	te the full remedy you seek for your compliant, I will partial remedy:	take t <b>he</b>
Signature of supervisor, princip	pal, or other appropriate administratur)	
	ust file a written notice of appeal with the appropria imits set in DGBA (LOCAL). The necessary forms a	
To appeal this response, you m idministrator within the time li		

# EMPLOYEE COMPLAINT FORM LEVEL TWO

To appeal a Level One decision, or the lack of timely response after a Level One conference, please fill out this form completely and submit it by hand delivery. Fax, or U.S. mail to the superintendent or designee within the time established in DGBA (LOCAL). Appeals will be heard in accordance with DGBA (LEGAL) and (LOCAL) or any exceptions nuttined therein.

Name	
Address	
Telephone number	er ()
Position	Department/campus
organization represen	ented in pursuing your complaint, please identify the individual or ating you:
Address:	
To whom did you pro	sent your complaint at Level One?
Date of conference _	
Date you received a r	esponse to the Level One conference
Please explain specifi	cally how you disagree with the outcome at Level One:
Attach a copy of the o	stigital complaint and any documentation submitted at Level One.
Attach a copy of the I	evel One response being appealed, if applicable.
Employee signature	
Signature of employe	2's representative
Date of Gling	

## Response to Level TWO Complaint (Date)(Complainant's name) (Address) Dear ... Having considered the complaint we discussed in our Level Two conference on \_\_\_\_\_ (date). I have decided on the following response: (Note: When preparing this letter, include only one of the following sentences.) I am unable to grant your appeal. I will uphold the decision made at Level One by (name) and communicated to you in the Leve! One response. I wish to grant your appeal and have instructed (name) to find a resolution in keeping with the remedy you seek. Although I am unable to provide the full grant your appeal. I have instructed (name) to take the following actions as a partial remedy to your complaint: Superintendent (or designee) Complainant, please note: To appeal this response, you must file a written notice of appeal with the appropriate administrator within the time limits set in DGBA (LOCAL). The necessary forms are available at during regular husiness hours.

# EMPLOYEE COMPLAINT FORM LEVEL THREE

To appeal a Level Two decision or the tack of timely response after a Level Two conference, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the Superintendent or designed within the time established in DGBA (LOCAL). Appeals will be beard in accordance with DGBA (LEGAL) and (LOCAL) or any exceptions outlined therein.

Name
Address
Talophone number ()
PositionDepartment/campus
If you will be represented in pursuing your complaint, please identify the individual or organization representing you;  Name:
Address;
Telephone:
To whom did you present your appeal at Level Two?
Date of conference
Date you received a response to the Level Two conference
Please explain specifically how you disagree with the outcome at Level Two:
Do you want the Board to hear this appeat in open session? If so, the Board will consider your request; however you may not have a legal right under the Texas Open Mostings Act to require a meeting in open session.
Attach a copy of your original complaint and any documentation solunitted at Level One and a copy of your Level Two appeal notice.
Attach a copy of the Level Two response being appealed, if applicable.
Employee signature
Signature of employee's representative
Date of filing

## Board's Response to Level Three Appeal (Date) (Compluinant's name) (Address) Having heard the presentation of your appeal at Level Three, the Board took the following action. at its meeting on \_\_\_\_\_ (date): (Note: When preparing this letter or unnouncing the decision at the Board meeting, include unly one of the following sentences.) We have denied the uppeal and have upheld the decision made by the superintendent (or designce) at Level Two. " We have granted the appeal and have instructed the superintendent to find a resolution in keeping with the remedy you seek. We have partially denied and partially granted the appeal and have instructed the superintendent as follows: Sincerety, President of the Board of Trustees ISD

### KERMIT INDEPENDENT SCHOOL DISTRICT

### PUBLIC ACCESS INFORMATION OPTION FORM

Name		
The Texas Public Information Act allows employees, officials employees and officials to elect whether to keep certain inform confidential. Unless you choose to keep it confidential, the fol about you may be subject to public release if requested under a Information Act. Therefore, please indicate whether you wish release of the following information.	nation about lowing info the Texas F	t them ormation ablic ablic
Home Address	No 🗆	Үек 🛘
Personal timail Address	No 🗆	Yes 🗆
Home Telephone Number	No 🗆	Yes 🗆
Personal Cell Phone Number	No 🗆	Yes 🗆
Information that reveals whether you have family members	No □	Yes 🗀
Emergency Contact Information	No 🗆	Yes 🗆
This form should be completed and signed by the employee no day after the date the employee begins employment, the public appointed, or a former employee or official ends employment	official is	
Employee Signature		
Date		

Date Run: 08-02-2022 8:47 AM Cnty Dist: 248-901

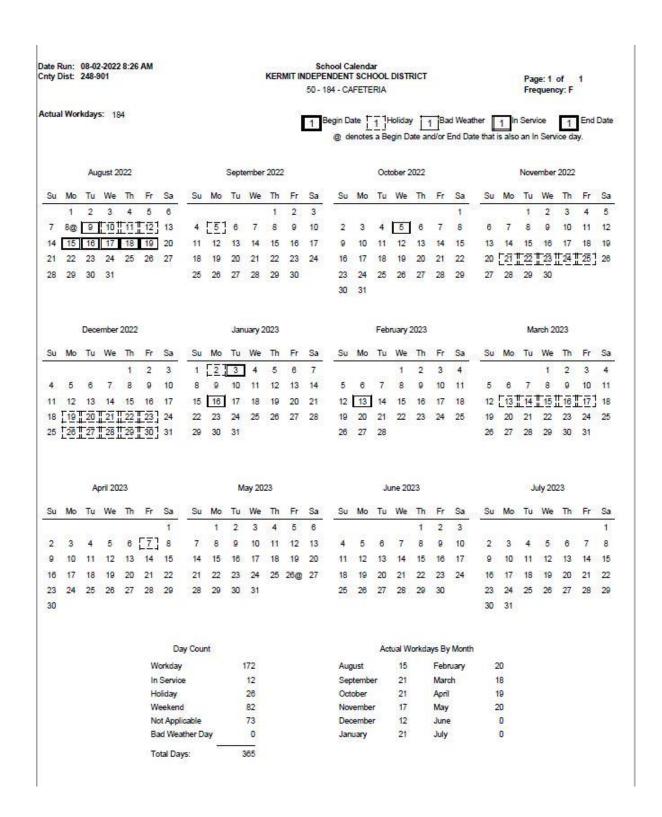
#### School Calendar KERMIT INDEPENDENT SCHOOL DISTRICT 01 - PAY DATES

Page: 1 of 1 Frequency: F

Actual Workdays: 261

1 Begin Date [1] Holiday	1 Bad Weather	1 In Service	1 End Date
@ denotes a Begin Date			

ctua	l Wor	kday	s: 26	51								ļ	1 E	Begin Da	-	1 JH s a Be		****		d Weat End Da	her [	•	Serv		1 rice da	End ly.	Date
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4	5	6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10
11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17
18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
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							30	31																			
		Jan	uary 2	2023					Febr	uary:	2023					Ma	rch 20	023					A	pril 20	23		
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Su	Мо	Tu	We	Th	Fr	Sa	Su	Мо	Tu	We	Th	Fr	Sa	Su	Мо	Tu	We	Th	Fr	Sa	Su	Мо	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3							1			1	2	3	4	5
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21

July

0

January

Bad Weather Day

Total Days:

0

365

Date Run: 08-02-2022 8:29 AM

#### School Calendar KERMIT INDEPENDENT SCHOOL DISTRICT

#### Date Run: 08-02-2022 8:30 AM

School Calendar

12

22

February 20 August

December

January

June

July

22

21

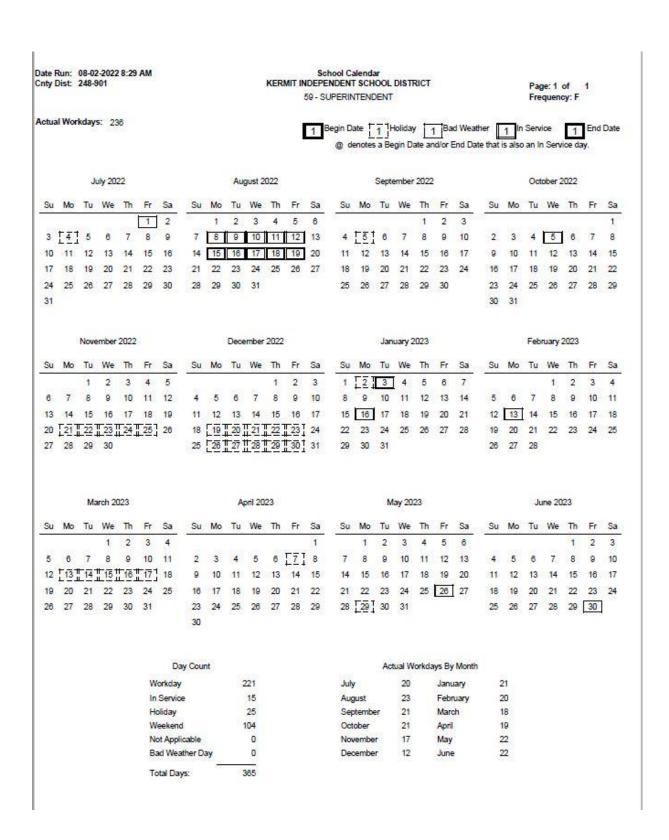
23

Weekend

Total Days:

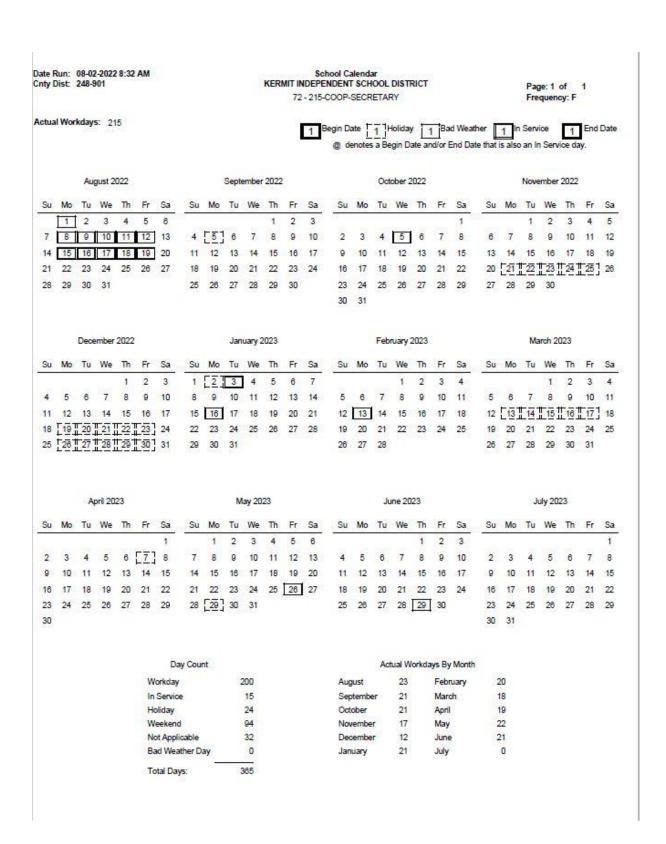
Not Applicable 0 Bad Weather Day 0

104

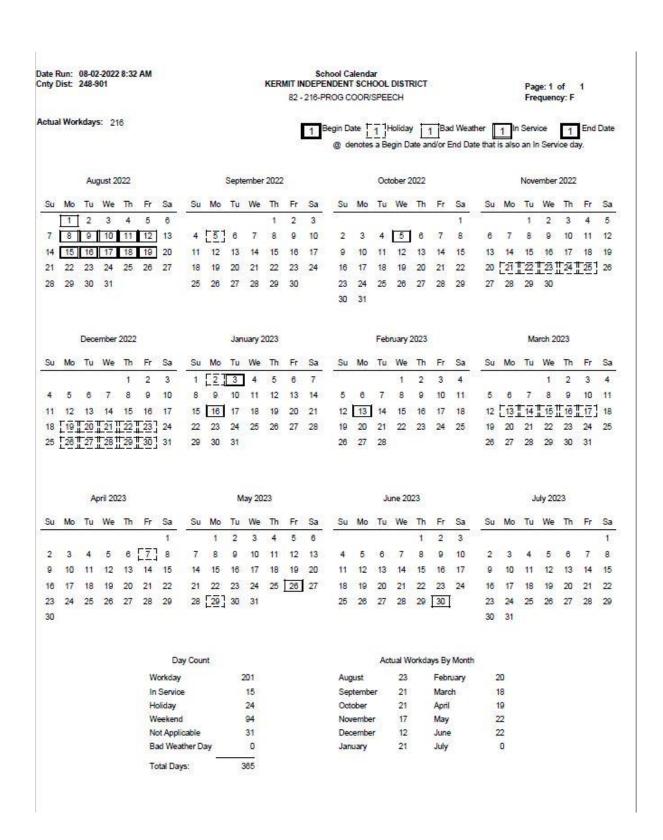


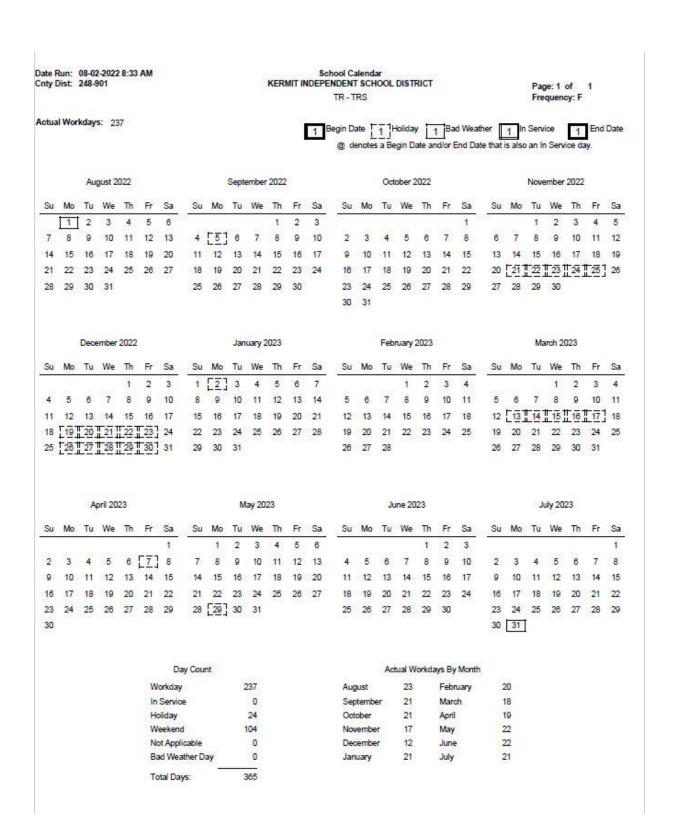
January 21 July

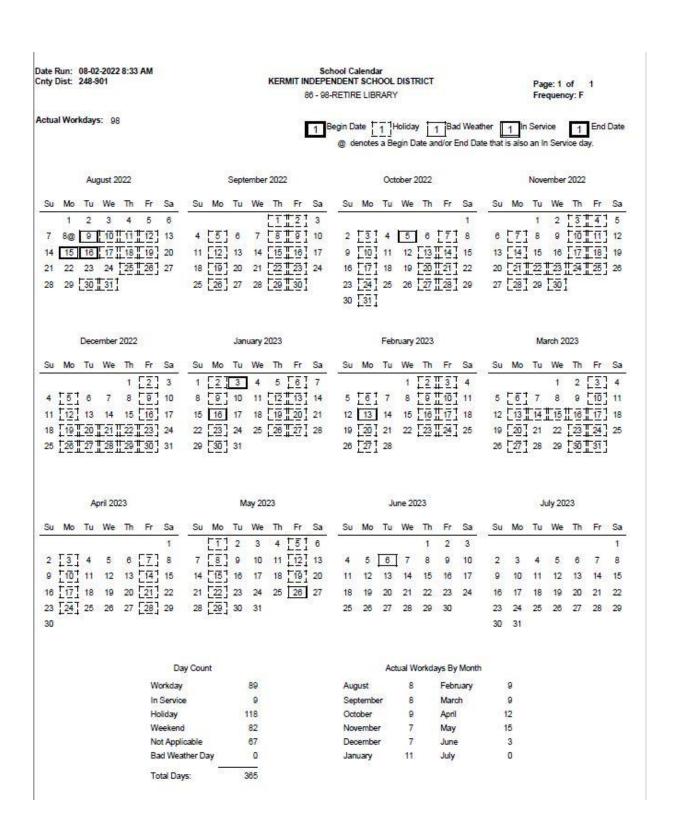
Total Days:



Total Days:







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