If you have difficulty accessing the information in this document because of a disability, please e-mail melaniec.martinez@visd.net.

Quintin Shepherd, Ph. D.
Superintendent of Schools

The Victoria Independent School District does not discriminate against any person on the basis of race, color, national origin, gender, disability or age for admission, treatment, or participation in its educational programs, services and activities, or employment.

An Equal Opportunity Employer
Message from the Superintendent:

Dear Victoria ISD Family Member,

I generally try to start and finish in the same way... with a heartfelt thank you. I thank you for your commitment to doing what’s best for kids. I thank you for your dedication to continuous improvement. I thank you for choosing education as your life’s passion. We all know the students are the ultimate beneficiaries of our efforts as we serve every day to our fullest potential.

VISD PROUD means something different to all of us. Maybe you are VISD PROUD because of a specific student, whose trajectory in life has been changed because of your efforts. Maybe you are VISD PROUD of our dedicated service to the district. Perhaps you are VISD PROUD because you know there are only two types of people who work in schools: 1) Those who teach and 2) Those who support teachers and your pride comes from knowing you make a difference. We can all be VISD PROUD because of our rich traditions and a growing culture of excellence, every day.

The purpose of this handbook is to provide information to assist you with any questions or concerns you may have. This handbook is neither a contract nor a substitute for the official district policy manual, nor is intended to alter the at-will status on non-contractual employees in any way. It is meant to be a guide and brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time and these changes shall supersede any handbook provisions not compatible with the change. For more information, employees may refer to the policy codes associated with the handbook topics, confer with their supervisor, or contact the appropriate district office. Electronic access to assistance can further be reached at www.visd.net.

Edmund Hillary is credited with saying, “People do not decide to become extraordinary. They decide to accomplish extraordinary things.” I challenge you to make a commitment to accomplish something extraordinary today, this week and this year. On behalf of the Victoria ISD Board of Trustees and the entire Victoria ISD community, thank you for your tireless commitment to our district and our students as we endeavor every day to have a positive impact on “Every Child, Every Classroom, Every Day”!

VISD PROUD,

[Signature]

Quintin Shepherd, Ph.D.
Superintendent of Schools
# Table of Contents

Employee Handbook Receipt (Employee Copy)........................................................................5
Employee Handbook Receipt (Campus/Department copy).........................................................7

**District Information** .................................................................................................................9
- Description of the District ............................................................................................................9
- Mission Statement, Goals, and Objectives ..................................................................................9
- Board of Trustees .......................................................................................................................9
- Current Board Members 2018-2019 .........................................................................................10
- Board Meeting Schedule for 2018-2019 .................................................................................10
- Administration ........................................................................................................................11
- School Directory ......................................................................................................................11
- School Calendar .......................................................................................................................11
- Helpful Contacts .....................................................................................................................11
- School Directory ......................................................................................................................12

**Employment** ..........................................................................................................................14
- Equal Employment Opportunity ..............................................................................................14
- Job Vacancy Announcements ....................................................................................................14
- Employment after Retirement .....................................................................................................14
- Contract and Noncontract Employment ......................................................................................14
- Certification and Licenses .........................................................................................................15
- Recertification of Employment Authorization .............................................................................16
- Searches and Alcohol and Drug Testing ......................................................................................16
- Health Safety Training ...............................................................................................................17
- Reassignments and Transfers .....................................................................................................17
- Workload and Work Schedules ................................................................................................18
- Breaks for Expression of Breast Milk ........................................................................................18
- Notification to Parents Regarding Qualifications ......................................................................19
- Outside Employment and Tutoring ............................................................................................19
- Performance Evaluation ............................................................................................................19
- Employee Involvement ..............................................................................................................20
- Staff Development ...................................................................................................................20

**Compensation and Benefits** ..................................................................................................21
- Salaries, Wages, and Stipends ....................................................................................................21
- Paychecks ..................................................................................................................................21
- Bi-Weekly Reporting and Pay Schedule .......................................................................................22
- Monthly Reporting and Pay Schedule ........................................................................................23
- Automatic Payroll Deposit ..........................................................................................................24
- Payroll Deductions ....................................................................................................................24
- Overtime Compensation .............................................................................................................24
- Travel Expense Reimbursement .................................................................................................25
Health, Dental, and Life Insurance ............................................................................. 25
Supplemental Insurance Benefits.................................................................................. 26
Cafeteria Plan Benefits (Section 125)......................................................................... 26
Workers’ Compensation Insurance ............................................................................. 26
Unemployment Compensation Insurance .................................................................. 27
Teacher Retirement....................................................................................................... 27

Leaves and Absences ................................................................................................. 28
  Personal Leave ........................................................................................................... 29
  State Sick Leave ....................................................................................................... 30
  Local Leave ............................................................................................................... 30
  Extended Sick Leave .................................................................................................. 31
  Sick Leave Bank (or Pool) .......................................................................................... 31
  Family and Medical Leave Act (FMLA)—General Provisions ................................. 34
  Local Family and Medical Leave Provisions ............................................................. 36
  Temporary Disability Leave ....................................................................................... 37
  Workers’ Compensation Benefits .............................................................................. 38
  Assault Leave ............................................................................................................. 38
  Bereavement Leave ................................................................................................. 39
  Jury Duty .................................................................................................................... 39
  Compliance with a Subpoena ..................................................................................... 39
  Truancy Court Appearances ....................................................................................... 39
  Religious Observance ............................................................................................... 40
  Military Leave .......................................................................................................... 40
  Uniformed Services Employment and Reemployment Rights Act (USERRA)......... 40

Employee Relations and Communications .................................................................. 43
  Employee Recognition and Appreciation .................................................................. 43
  District Communications ............................................................................................ 43

Complaints and Grievances ....................................................................................... 44
  Complaints ............................................................................................................... 44
  Other Complaint Process ......................................................................................... 44
  Notice to Employees ................................................................................................. 45
  Guiding Principles .................................................................................................... 45
  Informal Process ....................................................................................................... 45
  Direct Communication with Board Members ............................................................ 45
  Formal Process ......................................................................................................... 45
  Freedom from Retaliation .......................................................................................... 46
  Whistleblower Complaints ....................................................................................... 46
  Complaints against Supervisors ............................................................................. 46
  General Provisions .................................................................................................... 46
  Complaint and Appeal Forms ................................................................................... 48
  Audio Recordings ...................................................................................................... 48
  Level One ............................................................................................................... 48
# Employee Conduct and Welfare

- Standards of Conduct ........................................ 52
- Employee Standards of Conduct ............................. 53
- Harassment .......................................................... 54
- Relationships with Students .................................. 55
- Tobacco and E Cigarettes ....................................... 55
- Alcohol and Drugs .................................................. 55
- Arrests, Indictments, Convictions, and other Adjudications ........................................ 56
- Dress and Grooming .............................................. 56
- Educators Code of Ethics ........................................ 57
- Discrimination, Harassment, and Retaliation ............. 60
- Employee Welfare Freedom from Discrimination Harassment and Retaliation .......... 60
- Title IX Coordinator, Staff ..................................... 63
- ADA/Section 504 Coordinator, Staff ........................ 63
- Harassment of Students ......................................... 65
- Definition of Solicitation of Romantic Relationship .......... 66
- Termination of Employment ..................................... 67
- Mandatory Termination ......................................... 68
- Discretionary Termination ...................................... 69
- Student Welfare Freedom from Discrimination, Harassment, and Retaliation .......... 71
- Gender-Based Harassment ....................................... 73
- Title IX Coordinator, Student .................................. 75
- ADA/Section 504 Coordinator, Student ....................... 75
- Reporting Suspected Child Abuse ............................ 78
- Notice of Employee Responsibilities for Reporting Child Abuse and Neglect .......... 79
- Sexual Abuse and Maltreatment of Children ................ 81
- Reporting Crime ..................................................... 82
- Technology Resources (Responsible use of Technology Agreement) ......................... 82
- Electronic Communication and Data Management ........ 84
- Personal Use of Electronic Communications ................ 86
- Electronic Communications between Employees and Students ......................... 88
- Criminal History Background Checks ........................ 90
- Employee Arrests and Convictions ........................... 91
- Alcohol and Drug-Abuse Prevention ........................ 92
- Alcohol and Drugs/Notice of Drug Free Workplace .......... 92
- Drug Free Awareness Program ................................ 93
- Drug Free Workplace Notice .................................. 93
- Tobacco Products and E-Cigarette Use ....................... 94
- Fraud and Financial Impropriety ............................... 94
- Conflict of Interest ............................................... 95
- Gifts and Favors .................................................... 96
Copyrighted Materials ........................................................................................................... 96
Associations and Political Activities ....................................................................................... 96
Charitable Contributions ......................................................................................................... 97
Safety ................................................................................................................................... 97
Possession of Firearms and Weapons ..................................................................................... 98
Visitors in the Workplace ....................................................................................................... 98
Asbestos Management Plan ................................................................................................... 98
Pest Control Treatment .......................................................................................................... 98
Accounting: Activity Funds Management ................................................................................ 99

General Procedures ..................................................................................................................... 101
Bad Weather Closing ................................................................................................................ 101
Emergencies ............................................................................................................................. 101
Purchasing Procedures ............................................................................................................ 101
Name and Address Changes .................................................................................................... 102
Personnel Records .................................................................................................................. 102
Building Use ........................................................................................................................... 102

Termination of Employment .................................................................................................... 103
Resignations ............................................................................................................................ 103
Dismissal or Nonrenewal of Contract Employees ..................................................................... 103
Dismissal of Noncontract Employees ....................................................................................... 103
Exit Interviews and Procedures ................................................................................................ 104
Reports to Texas Education Agency ........................................................................................ 104
Reports Concerning Court-Ordered Withholding ..................................................................... 105

Student Issues .......................................................................................................................... 106
Equal Educational Opportunities .............................................................................................. 106
Student Records ....................................................................................................................... 106
Parent and Student Complaints ............................................................................................... 107
Administering Medication to Students ..................................................................................... 107
Dietary Supplements ............................................................................................................... 107
Psychotropic Drugs ................................................................................................................ 107
Student Conduct and Discipline .............................................................................................. 108
Student Attendance ................................................................................................................ 108
Student Leaving Campus ......................................................................................................... 108
Bullying .................................................................................................................................... 110
Student Welfare Freedom From Bullying Policy ........................................................................ 110
Hazing ....................................................................................................................................... 114

Index ......................................................................................................................................... 115
Employee Handbook Receipt (Employee Copy)

Victoria Independent School District “Achieving Excellence”

Name ________________________________________
(Print Name)

Campus/Department _____________________________

I hereby acknowledge receipt of a copy of the Victoria ISD Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy.

To acquire an electronic format go to www.visd.net and select the Human Resources tab from the menu. From the Important Documents screen, scroll down to Employee Handbook and click to download.

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-will employment relationships are intended by this handbook.

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

_________________________________ ___________________________
Signature Date

Note: This handbook includes two copies of this form. Please sign and date Employee Copy and keep it in the handbook. Sign and date the Campus/Department copy and forward it to your principal or supervisor.
Employee Handbook Receipt (Campus/Department copy)

Victoria Independent School District “Achieving Excellence”

Name ____________________________________________
(Print Name)

Campus/Department ________________________________

I hereby acknowledge receipt of a copy of the Victoria ISD Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy.

To acquire an electronic format go to www.visd.net and select the Human Resources tab from the menu. From the Important Documents screen, scroll down to Employee Handbook and click to download.

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-will employment relationships are intended by this handbook.

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

_________________________________________________  ________________
Signature                                      Date

Note: This handbook includes two copies of this form. Please sign and date Employee Copy and keep it in the handbook. Sign and date the Campus/Department copy and forward it to your principal or supervisor.
District Information

Description of the District
The Victoria Independent School District covers approximately 612 square miles in an area commonly referred to as the Crossroads of South Texas because of its central location in relation to Corpus Christi, San Antonio, Austin, Houston and Port Lavaca. Current enrollment is approximately 14,200 students. The District employs 462 elementary and 521 secondary teachers on 26 campuses and 1 early college high school in addition to programs at the Juvenile Justice Center. Total district employment is approximately 2,220 employees. The VISD offers a dual language program at the elementary level, pre-advanced placement classes at the middle school level and advanced placement, dual credit, and Career & Technology courses in the high schools. Students also have the opportunity to participate in a wide variety of extra-curricular activities.

The District operates on a general fund budget of approximately $115 million.

Mission Statement, Goals, and Objectives
Policy AE

The mission of the Victoria Independent School District is to provide rigorous, relevant learning and life experiences so that all students contribute to society.

The District shall strive to achieve the following aims:

AIM 1 High Student Performance and Achievement
AIM 2 Safe, Secure and Nurturing Learning Environment
AIM 3 Optimum Education Resources
AIM 4 Responsive to Student Needs
AIM 5 Highly Qualified and Effective Personnel
AIM 6 Open, Effective Communication
AIM 7 Involvement of all Parents, Students and Community

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 by single member district and serve (3)-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

**Current Board Members 2018-2019**

- Mrs. Tami Keeling, President
- Pastor Kevin VanHook, Vice-President
- Mrs. Margaret Pruett, Secretary
- Mr. Bret Baldwin, Trustee
- Dr. Estella De Los Santos, Trustee
- Mr. Michael DiSanto, Trustee
- Mr. Ross Mansker, Trustee

The board usually meets the third Thursday of the month at 6:00 p.m. In the event that large attendance is anticipated, the board may meet at the Career Technology Institute (CTI) mall. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and the VISD Administration Building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

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

**Board Meeting Schedule for 2018-2019**

<table>
<thead>
<tr>
<th>Date</th>
<th>Date</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 16, 2018</td>
<td>December TBD, 2018</td>
<td>April 18, 2019</td>
</tr>
<tr>
<td>September 20, 2018</td>
<td>January 17, 2019</td>
<td>May 16, 2019</td>
</tr>
<tr>
<td>October 18, 2018</td>
<td>February 21, 2019</td>
<td>June 20, 2019</td>
</tr>
<tr>
<td>November 15, 2018</td>
<td>March 21, 2019</td>
<td>July 18, 2019</td>
</tr>
</tbody>
</table>
Administration
Dr. Quintin Shepherd, Superintendent of Schools  788-9202
Dr. Gregory Bonewald, Assistant Superintendent of Human Resources  788-9227
Mrs. Lisa Blundell, Assistant Superintendent of Administration  788-9330
Dr. Susanne Carroll, Assistant Superintendent of Cur., Instr., & Acct.  788-2896
Mrs. Frances Koch, Assistant Superintendent of Budget & Finance  788-9307
Mrs. Jessica Gumm, Executive Director of the VISD Education Foundation  788-9271
Mrs. Shawna Currie, Director of Communications  788-9204
Mrs. Kelly Cotton, Director of Special Education  788-9242
Mrs. Michelle Yates, Director of Federal Programs  788-9295
Mrs. Dana Bigham, Director of Child Nutrition  788-9235
Mr. Leonard McAngus, Director of Athletics  578-0289
Mr. John Urbano, Director of Maintenance  575-6408
Mrs. Samantha Schulte, Director of Technology  788-9325
Mrs. Angie Sherman, Director of Transportation  578-1538
Mrs. Betty Adamson, Director of Central Supply  788-9203
Mrs. Carla Schaefer, Director of Assessment and Accountability  788-9306
Mrs. Lauri Range, Coordinator of Career & Technology Education  788-2802
Mrs. Tammy Nobles, Coordinator of Student Services  788-9250
Ms. Tracy Beck, Coordinator of Employee Benefits  788-9229
Mr. Jason Levin, Director of Fine Arts  788-9335
Mrs. Elizabeth Dippel, Early Childhood Coordinator  788-9294
Mrs. Sherry Hathaway, Executive Director of Secondary Ed.  788-2892
Mrs. Tammy Sestak, Executive Director of Elementary Education  788-2890
Mrs. Lisa Cortez, Professional Director of Human Resources  788-9228
Mr. Armando Villarreal, Jr., Auxiliary Coordinator of Human Resources  788-2844

School Directory
See www.visd.net and page 12.

School Calendar
See www.visd.net and page 13.

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

Office and Campus Directory

<table>
<thead>
<tr>
<th>Office and Department</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration Office</td>
<td>576-3131</td>
</tr>
<tr>
<td>Athletic Office</td>
<td>578-0289</td>
</tr>
<tr>
<td>Victoria Teachers Federal Credit Union Office</td>
<td>576-3168</td>
</tr>
<tr>
<td>Fine Arts Center</td>
<td>788-9335</td>
</tr>
<tr>
<td>Plant, Maintenance and Operations</td>
<td>575-6408</td>
</tr>
<tr>
<td>Transportation Office</td>
<td>578-1538</td>
</tr>
</tbody>
</table>

### Schools

<table>
<thead>
<tr>
<th>School</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aloe Elementary</td>
<td>788-9509</td>
</tr>
<tr>
<td>Cade Middle School</td>
<td>788-2840</td>
</tr>
<tr>
<td>Career Technical Institute</td>
<td>788-9288</td>
</tr>
<tr>
<td>Chandler Elementary</td>
<td>788-9587</td>
</tr>
<tr>
<td>Crain Elementary</td>
<td>573-7453</td>
</tr>
<tr>
<td>DeLeon Elementary</td>
<td>788-9553</td>
</tr>
<tr>
<td>Dudley G/T Elementary</td>
<td>788-9517</td>
</tr>
<tr>
<td>F.W. Gross Elementary</td>
<td>788-9500</td>
</tr>
<tr>
<td>Guadalupe Elementary</td>
<td>788-9906</td>
</tr>
<tr>
<td>Hopkins Elementary</td>
<td>788-9527</td>
</tr>
<tr>
<td>Howell Middle School</td>
<td>578-1561</td>
</tr>
<tr>
<td>Juvenile Justice Center</td>
<td>575-0399</td>
</tr>
<tr>
<td>Liberty Academy</td>
<td>788-9650</td>
</tr>
<tr>
<td>Mission Valley Elementary</td>
<td>788-9514</td>
</tr>
<tr>
<td>Mitchell Guidance Center</td>
<td>788-9658</td>
</tr>
<tr>
<td>O’Connor Elementary</td>
<td>788-9572</td>
</tr>
<tr>
<td>Patti Welder Middle School</td>
<td>575-4553</td>
</tr>
<tr>
<td>Rowland Elementary</td>
<td>788-9549</td>
</tr>
<tr>
<td>Schorlemmer Elementary</td>
<td>788-2860</td>
</tr>
<tr>
<td>Shields Elementary</td>
<td>788-9593</td>
</tr>
<tr>
<td>Smith Elementary</td>
<td>788-9605</td>
</tr>
<tr>
<td>Stroman Middle School</td>
<td>578-2711</td>
</tr>
<tr>
<td>Torres Elementary</td>
<td>788-2850</td>
</tr>
<tr>
<td>Vickers Elementary</td>
<td>788-9579</td>
</tr>
<tr>
<td>Victoria Area Center for Advanced Learning</td>
<td>788-9650</td>
</tr>
<tr>
<td>Victoria East High School</td>
<td>788-2820</td>
</tr>
<tr>
<td>Victoria West High School</td>
<td>788-2830</td>
</tr>
<tr>
<td>William Wood Elementary</td>
<td>788-9533</td>
</tr>
</tbody>
</table>
**School Calendar**

See [www.visd.net](http://www.visd.net) and this page.

### Victoria ISD 2018-2019 Academic Calendar

#### Revised: 3/10/2018

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M T W Th F</td>
<td>M T W Th F</td>
<td>M T W Th F</td>
<td>M T W Th F</td>
<td>M T W Th F</td>
<td>M T W Th F</td>
<td>M T W Th F</td>
<td>M T W Th F</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td>31</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Quarterly Grading Periods:
- Aug 21 - Oct 13: 43 Days
- Oct 22 - Dec 15: 38 Days
- Jan 7 - Mar 7: 42 Days
- Mar 18 - May 14: 46 Days

#### Instructional Minutes:
- Elementary School: 79,200
- Middle School: 76,200
- High School: 74,580
- Total Instructional Days: 1,720

#### High School Mid-Term & Finals Half Days:
- Midterm 1: Mar 21 - 22
- Midterm 2: Apr 18 - 19
- Final Exam: May 21 - 23

#### Graduation Dates:
- Victoria Academy: 23-May
- Victoria East High School: 24-May
- Victoria West High School: 25-May

#### Professional Development/Work Days:
- No Classes for Students

#### VISD State Assessment Dates:
- New Teacher Campus Day: Jul 30-31
- Campus Day: Aug 9
- District PD/Found Days: Aug 10
- Convocation (All)/Special Ed: Aug 10
- District High School: Jul 1
- Elementary High School: Jul 20
- District Mid-Term: Jan 3
- District PLC: Feb 18
- Campus Workday: Mar 8
- Campus Workday: May 14

#### School Holidays:
- Labor Day: Sept 3
- Student Holiday: Oct 19
- Fall Break: Nov 13-15
- Thanksgiving Day: Nov 22
- Winter Break: Dec 20-Jan 4
- Christmas Day: Dec 25
- Martin Luther King Day: Jan 21
- President’s Day: Feb 18
- Spring Break: Mar 18-22
- Good Friday: April 19
- Easter Sunday: April 21
- Memorial Day: May 27
- Independence Day: July 4

#### Bad Weather Make-Up Dates:
- 18-Feb
- 24-May

---

**Achieving Excellence for ALL!**
Employment

Equal Employment Opportunity
_Policies DAA, DIA_

The Victoria ISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant’s job qualifications, experience, and abilities.

Employees with questions or concerns relating to discrimination for any of the reasons listed above should contact Dr. Gregory Bonewald, Assistant Superintendent for Human Resources, at 788-9228.

Job Vacancy Announcements
_Policy DC_

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

Employment after Retirement
_Policy DC_

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

Contract and Noncontract Employment
_Policy DC series_

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

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

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

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

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

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

**Certification and Licenses**

*Policies DBA, DF*

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

A certified employee’s contract may be voided without due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual’s failure to comply with criminal history background checks. Contact
the Human Resources Department if you have any questions regarding certification or licensure requirements.

**Recertification of Employment Authorization**  
*Policy DC*

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

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

**Searches and Alcohol and Drug Testing**  
*Policy CQ, DHE*

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

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

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Testing may be conducted following accidents. Return-to-duty and follow-up testing will be
conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

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

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact Mr. Roberto Gonzalez, Drug Abuse Prevention Coordinator at 361-788-9339 ext. 41403.

**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 their respective supervisor, coordinator, and/or administrator by the start of their contract year. The following staff may be contacted for guidance with this process: Mrs. Murphy Stuart, Health Services Coordinator, Mr. Richard Seiler, Intramurals Coordinator, Mr. Ronald Davis Athletic Trainer and Mrs. Angie Sherman, Transportation Director.

**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 within the given transfer application window. A request for transfer form must be completed and signed by the employee and the employee’s supervisor. A paraprofessional or teacher requesting a transfer to another campus during the set transfer
application window must meet the eligibility criteria requirements approved and posted for that particular year. The transfer application window usually runs from the third week in April through the last week in May. All applicants for a transfer must follow the steps and timelines outlined in the process. All transfer requests will be coordinated by the Human Resources Department 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 24 for additional information.

**Breaks for Expression of Breast Milk**

*Policies DEAB, DG*

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

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

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. 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 Ms. Lisa Cortez HR Professional Director, at 788-9228.

Outside Employment and Tutoring
Policy DBD

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

Performance Evaluation
Policy DN series

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

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

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 24.)

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

Employees should contact Payroll Department 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 2018-2019 school year follows:
## Bi-Weekly Reporting and Pay Schedule

### Victoria Independent School District

#### 2018-2019

### Bi-Weekly Reporting and Pay Schedule

<table>
<thead>
<tr>
<th>Work Period (14 Days)</th>
<th>Report Due (Monday)</th>
<th>Checks Delivered (Thursday)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 12 - Aug. 25</td>
<td>Aug. 27</td>
<td>Aug. 30 (Insurance)</td>
</tr>
<tr>
<td>Aug. 26 - Sept. 08</td>
<td>Sept. 10</td>
<td>Sept. 13 (Insurance)</td>
</tr>
<tr>
<td>Sept. 09 - Sept. 22</td>
<td>Sept. 24</td>
<td>Sept. 27 (Insurance)</td>
</tr>
<tr>
<td>Sept. 23 - Oct. 06</td>
<td>Oct. 8</td>
<td>Oct. 11 (Insurance)</td>
</tr>
<tr>
<td>Oct. 21 - Nov. 03</td>
<td>Nov. 05</td>
<td>Nov. 08 (Insurance)</td>
</tr>
<tr>
<td>Nov. 04 - Nov. 17</td>
<td>Nov. 19 Fri.</td>
<td>Nov. 21 (Weekday) (Insurance)</td>
</tr>
<tr>
<td>Nov. 18 - Dec. 01</td>
<td>Dec. 03</td>
<td>Dec. 06 (Insurance)</td>
</tr>
<tr>
<td>Dec. 02 - Dec. 15</td>
<td>Dec. 17</td>
<td>Dec. 20 (Insurance)</td>
</tr>
<tr>
<td>Dec. 16 - Dec. 29</td>
<td>Dec. 28 Fri.</td>
<td>Jan. 03</td>
</tr>
<tr>
<td>Jan. 27 - Feb. 09</td>
<td>Feb. 11</td>
<td>Feb. 14 (Insurance)</td>
</tr>
<tr>
<td>Feb. 10 - Feb. 23</td>
<td>Feb. 25</td>
<td>Feb. 28 (Insurance)</td>
</tr>
<tr>
<td>Feb. 24 - Mar. 09</td>
<td>Mar. 11</td>
<td>Mar. 14 (Insurance)</td>
</tr>
<tr>
<td>Mar. 10 - Mar. 23</td>
<td>Mar. 25</td>
<td>Mar. 26 (Insurance)</td>
</tr>
<tr>
<td>Mar. 24 - Apr. 06</td>
<td>Apr. 08</td>
<td>Apr. 11 (Insurance)</td>
</tr>
<tr>
<td>Apr. 07 - Apr. 20</td>
<td>Apr. 22</td>
<td>Apr. 25 (Insurance)</td>
</tr>
<tr>
<td>Apr. 21 - May 04</td>
<td>May 06</td>
<td>May 09 (Insurance)</td>
</tr>
<tr>
<td>May 05 - May 18</td>
<td>May 20</td>
<td>May 23 (Insurance)</td>
</tr>
<tr>
<td>May 19 - Jun. 01</td>
<td>Jun. 03</td>
<td>Jun. 06 (Insurance)</td>
</tr>
<tr>
<td>Jun. 02 - Jun. 15</td>
<td>Jun. 17</td>
<td>Jun. 20 (Insurance 12 m)</td>
</tr>
<tr>
<td>Jun. 16 - Jun. 29</td>
<td>Jul. 01</td>
<td>Jul. 03 (Insurance 12 m)</td>
</tr>
<tr>
<td>Jun. 30 - Jul. 13</td>
<td>Jul. 15</td>
<td>Jul. 18 (Insurance 12 m)</td>
</tr>
<tr>
<td>Jul. 14 - Jul. 27</td>
<td>Jul. 29</td>
<td>Aug. 01 (Insurance 12 m)</td>
</tr>
<tr>
<td>Jul. 28 - Aug. 10</td>
<td>Aug. 12</td>
<td>Aug. 15</td>
</tr>
<tr>
<td>Aug. 11 - Aug. 24</td>
<td>Aug. 26</td>
<td>Aug. 29 (Insurance 12 m)</td>
</tr>
</tbody>
</table>

All time clock data must be completed by 9:00 am on the report due date.

### School Holiday Schedule:

<table>
<thead>
<tr>
<th>September 03 - Labor Day</th>
<th>January 21 - Martin Luther King Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 22 &amp; 23 - Thanksgiving</td>
<td>April 19 - Good Friday</td>
</tr>
<tr>
<td>December 24 &amp; 25 - Christmas</td>
<td>May 27 - Memorial Day</td>
</tr>
<tr>
<td>January 01 - New Year</td>
<td>July 04 - Independence Day</td>
</tr>
</tbody>
</table>
# Monthly Reporting and Pay Schedule

<table>
<thead>
<tr>
<th>Reporting Period</th>
<th>No. of Days</th>
<th>Report Due</th>
<th>Checks Delivered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 01 - Aug. 31</td>
<td>23 (12 mo.)</td>
<td>Sept. 04</td>
<td>*Sept. 26 - Wed.</td>
</tr>
<tr>
<td>Sept. 01 - Sept. 30</td>
<td>19</td>
<td>Oct. 02</td>
<td>Oct. 26 - Fri.</td>
</tr>
<tr>
<td>Oct. 01 - Oct. 31</td>
<td>23</td>
<td>Nov. 02</td>
<td>*Nov. 15 - Thur.</td>
</tr>
<tr>
<td>Nov. 01 - Nov. 30</td>
<td>17</td>
<td>Dec. 03</td>
<td>*Dec. 18 - Tue.</td>
</tr>
<tr>
<td>Jan. 01 - Jan. 31</td>
<td>20</td>
<td>Feb. 04</td>
<td>* Feb. 22 - Fri.</td>
</tr>
<tr>
<td>Feb. 01 - Feb. 28</td>
<td>20</td>
<td>Mar. 04</td>
<td>Mar. 26 - Tue.</td>
</tr>
<tr>
<td>Mar. 01 - Mar. 31</td>
<td>16</td>
<td>Apr. 03</td>
<td>Apr. 26 - Fri.</td>
</tr>
<tr>
<td>Apr. 01 - Apr. 30</td>
<td>21</td>
<td>May. 02</td>
<td>*May 24 - Fri.</td>
</tr>
<tr>
<td>May 01 - May 31</td>
<td>22</td>
<td>Jun. 04</td>
<td>June 26 - Wed.</td>
</tr>
<tr>
<td>June 01 - June 30</td>
<td>20</td>
<td>Jul. 02</td>
<td>July 26 - Fri.</td>
</tr>
<tr>
<td>July 01 - July 31</td>
<td>22</td>
<td>Aug. 02</td>
<td>* Aug. 23 - Fri.</td>
</tr>
</tbody>
</table>

- Time Clock Data must be complete by campus by report due date. (see above for dates)
- Payroll Reporting Forms due on a weekly basis to Payroll Dept.
- Extra Duty - Spread Sheets and Time Cards due in Payroll By the 5th of each month.

* Checks will be delivered on the 26th of each month. Exceptions have been noted with an asterisk.
Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. A notification period of 30-60 days is necessary to activate this service. Contact the Payroll Department for more information about the automatic payroll deposit service.

Payroll Deductions

Policy CFEA

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

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

Other payroll deductions employees may elect include deductions for the employee’s share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations and to the Victoria Teachers Federal Credit Union, United Way Foundation, Education Foundation and Teacher Alternative Certification Programs. Salary deductions are automatically made for unauthorized or unpaid leave.

Overtime Compensation

Policy DEAB

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

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee’s regular work schedule. For the purpose of calculating overtime, a workweek begins at 12:00 a.m. Sunday and ends at 11:59 p.m. on 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.

**Travel Expense Reimbursement**

*Policy DEE*

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

**Health, Dental, and Life Insurance**

*Policy CRD*

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

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

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) are not eligible to participate in TRS-ActiveCare.
The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g., marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact the HR Benefits Department at 788-9229 for more information.

**Supplemental Insurance Benefits**  
*Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for Term Life Insurance, Cancer/Intensive Care, Disability Income Protection Plan, Accidental Death and Dismemberment Plan, Dental, and Vision coverage. Premiums for these programs can be paid by payroll deduction. Employees should contact the HR Benefits Department at 788-9229 for more information.

**Cafeteria Plan Benefits (Section 125)**

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

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

**Workers’ Compensation Insurance**  
*Policy CRE*

The district, in accordance with state law, provides workers’ compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers’ compensation coverage from CAS-Services, effective September 1, 2017.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to HR Benefits Department at 788-9229. 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 38 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 HR Benefits Department at 788-9229.

**Teacher Retirement**

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

Employees who plan to retire under TRS should notify the Payroll Department as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the web (www.trs.texas.gov). See page 14 for information on restrictions of employment of retirees in Texas public schools.
Leaves and Absences

_Policies DEC, DECA, DECB_

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call the HR Benefits Department at 788-9229 for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

Paid leave must be used in half day and/or 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 1995-96 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.

_Medical Certification._ Any employee, who is absent more than five (5) days because of a personal or family illness, must submit a medical certification from a qualified health care provider.
provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee’s fitness to return to work.

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

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

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

**Personal Leave**

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

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

**Discretionary.** Leave taken at an employee’s discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor 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 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 (5) paid local leave days per school year in accordance with administrative regulations.

Local leave shall accumulate to a maximum of 20 leave days.

Local leave shall be used according to the terms and conditions of state personal leave. See *DEC (LEGAL)*

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


### Extended Sick Leave

After all available state and local leave days have been exhausted, an eligible professional employee shall be granted in a school year a maximum of 20 consecutive leave days of extended sick leave and all other eligible employees shall be granted a maximum of five (5) consecutive leave days of extended sick leave to be used for the employee’s own personal illness or injury, including pregnancy-related illness or injury. Extended sick leave shall also be granted to an employee for absences related to the birth or placement of a child when leave is taken within the first year after the child’s birth, adoption, or foster placement (“bonding”).

To be eligible for extended sick leave, the employee shall have been employed by the District for the 12 consecutive months immediately preceding the request.

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

The employee shall have 50 percent of his or her daily rate of pay deducted for each day of extended sick leave taken, whether or not a substitute is employed.

An employee shall only be eligible for extended sick leave once in a 12-month period. For purposes of eligibility for extended sick leave, the 12-month period shall be measured forward from the date an individual first used extended sick leave.

### Sick Leave Bank (or Pool)

The Sick Leave Bank form can be accessed on the VISD web site. The link is under Employee Benefits found in the Human Resources department tab. Select “Staff Resources” to find the “Leave Request Packet”.

**Section 1: Purpose, Definition and Eligibility**

A. Purpose: The purpose of the Sick Leave Pool is to provide additional sick leave days to the VISD employees in the event of a catastrophic illness or injury. Catastrophic is defined as of a serious nature, not a passing disorder or temporary ailment, requiring treatment by a physician and/or hospital admittance. Although some degree of permanency is usually involved, the disease/injury need not necessarily be incurable or permanent. Days may be requested from the Pool only after the member has exhausted all accumulated paid state and local days. Employees that receive vacation days must also exhaust all of those days.
B. Definitions of Sick Leave Days: Sick leave days from the Pool are those days granted to an employee, who through a catastrophic illness or injury is unable to perform the duties of his/her position.

C. Eligibility: All full-time personnel of the VISD earning benefits from the District shall be eligible for participation.

Section 2: Donation of Days

A. The donation of leave to the Sick Leave Pool is voluntary on the part of the donor.
B. Individuals donating leave may donate one day per school year to any one recipient within the same pay structure.
C. Donated days not used will not be deducted from the donors leave balance unless used.

Section 3: Regulation Concerning Granting of Sick Leave Pool Days

A. Conditions known to exist by the same employee that may have been diagnosed or treated within the six month period of employment in the Sick Leave Pool will not be covered under the provision of the Sick Leave Pool until six months following the employment date.

B. Sick Leave Pool days shall be granted only for absences for working days and will not be granted for holidays, vacation days or other such days for which the member is not paid.

C. The maximum number of Sick Leave Pool days that may be granted to an employee during the school year (September 1 through August 31) will be twenty (20) days.

D. If a member returns to work who has received less than twenty (20) days from the Sick Leave Pool and then is ill again with the same illness, he/she may apply to the Sick Leave Pool for the remainder of the twenty (20) day limit. Each separate illness applied for must meet the initial criteria of just cause.

E. The Sick Leave Pool Committee will determine if an illness/injury qualifies as catastrophic. If the illness/injury qualifies, the Sick Leave Pool Committee will provide notice to the Superintendent’s Office indicating the maximum number of days allowed for reimbursement. The District will reimburse the member in a regular payroll check, based on the actual days docked that are within the maximum number of days allowed by the Sick pool. If approval is received prior to the payroll cut-off date, reimbursement of days docked may be on the current payroll check.

F. A contributor will lose the right to utilize the benefits of the Pool by:
2. Being approved on a leave of absence.

Section 4: Use of the Sick Leave Pool for the Immediate Family
A. The Pool may be used to provide additional sick leave days for members whose immediate family has suffered catastrophic illness or injury.
B. As it relates to Sick Leave Pool use, the term “immediate family” is defined as and is limited to:
   1. The employee’s spouse.
   2. The employee’s parent, stepparent, parent-in-law.
   3. The employee’s unmarried, dependent, natural or legally adopted children, or stepchild under the age of 19 if they live in the employee’s home on a permanent basis in a parent/child relationship and are legally dependent on the employee for financial support.
   4. Children in the above categories who are between the ages of 19 and 25 who are not employed full-time and who are registered students in regular, full-time attendance at an accredited secondary school, college or university.
   5. Children may remain covered after the age of 19 if they are physically or mentally handicapped and dependent on the employee for support and maintenance.

Section 5: Procedures for Applying for Sick Leave Pool Days
A. Should the member experience a catastrophic illness or injury necessitating the need for additional days after all paid leave days and vacation days have been used, the member may submit a request for days from the Pool.
B. A member who requests days from a Pool must submit to the HR Benefits Department no later than thirty (30) days upon application, the following information:
   1. Physician’s statement which includes:
      a. Indentification of the nature of the illness and/or extent of the injury.
      b. Date of onset of this particular concern.
      c. Anticipated date eligible to return to work on a full-time basis.
C. The Sick Leave Pool Committee may refuse to consider a request that does not contain required information.

Section 6: Sick Leave Pool Governing Committee
A. The governing committee, which shall approve or disapprove all requests for Sick Leave Pool days, shall be called the Victoria Independent School District Sick Leave Pool Committee. Membership of the Committee shall be compromised of:
   1. Voting members:
      a. Dr. Gregory Bonewald-Assistant Superintendent of Human Resources
      b. Murphy Stuart-Health Services Coordinator
      c. Frances Koch-Assistant Superintendent of Budget and Finance
   2. Nonvoting members:
      a. Tracy Beck-Employee Benefits Coordinator
Section 7: Questions

Any questions concerning participation, regulations, or application for sick leave days that may arise after adoption of their plan and not specifically covered herein, shall be submitted to the Sick Leave Pool Committee, who will draft a response.

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.

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

Requesting Leave

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

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

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

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

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

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

Enforcement

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

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

For additional information:

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 measured forward from the date an individual employee’s first FML begins.

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

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

Intermittent Leave. When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.
**Fitness for Duty.** An employee that takes FML due to the employee’s own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee’s ability to perform essential job function is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider.

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

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

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

**District Contact.** Employees that require FML or have questions should contact Ms. Tracy Beck in the HR Benefits Department at 788-9229 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, Ms. Tracy Beck in the HR Benefits Department, at 788-9229, 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 the HR Benefits Department at 788-9229.

An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person’s age or mental capacity renders the person nonresponsible for purposes of criminal liability.

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

Bereavement Leave

Use of state leave and/or local leave for death in the immediate family shall not exceed five (5) workdays per occurrence, subject to the approval of the District.

Jury Duty

The district provides paid leave to employees who are summoned to jury duty. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the district a copy of the summons to document the need for leave.

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

Compliance with a Subpoena

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

Truancy Court Appearances

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

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

Military Leave

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

**Reemployment after Military Leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact the Human Resources Department at 361-788-9228. In most cases, the length of federal military service cannot exceed five years.

**Continuation of Health Insurance.** Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the HR Benefits Department at 361-788-9229 for details on eligibility, requirements, and limitations.

**Uniformed Services Employment and Reemployment Rights Act (USERRA)**

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

**Reemployment Rights.** You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:
• You ensure that your employer receives advance written or verbal notice of your service;
• You have five years or less of cumulative service in the uniformed services while with that particular employer;
• Your return to work or apply for reemployment in a timely manner after conclusion of service; and
• You have not been separated from service with a disqualifying discharge or under other than honorable conditions.
If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

**Right To Be Free From Discrimination and Retaliation.** If you:
• Are a past or present member of the uniformed service;
• Have applied for membership in the uniformed service; or
• Are obligated to serve in the uniformed service;

Then an employer may not deny you:
• Initial employment;
• Reemployment;
• Retention in employment;
• Promotion; or
• Any benefit of employment

Because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

**Health Insurance Protection.** If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. Even if you don’t elect to continue coverage during your military service, you have the right to be reinstated in your employer’s health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

**Enforcement.** The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at [http://www.dol.gov/vets](http://www.dol.gov/vets). An interactive online USERRA Advisor can be viewed at [http://www.dol.gov/elaws/suerra.htm](http://www.dol.gov/elaws/suerra.htm). If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the
Office of Special Counsel, as applicable, for representation. You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.
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 annual service awards and retirement reception.

District Communications

Throughout the school year, the VISD Communications 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. They include the following:

- Monthly Board Notes recap action from the Board meeting. They are distributed as paper copies and are posted on the VISD website.
- Daily “Today’s Celebration” emails that go out to all employees.
- Weekly column in the local newspaper, the Victoria Advocate.
- News Releases posted on the VISD website and distributed to the news media.
- Back to School insert in the Victoria Advocate that runs at the end of July.
- EduLink telephone calls that can go to selected groups. (Each employee should provide an active after-hours telephone number to the Human Resources Department for this link to be effective.)
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:

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint Process

Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.

2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.

3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.

4. Complaints concerning instructional materials shall be submitted in accordance with EFA.

5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.

6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

Notice to Employees

The District shall inform employees of this policy through appropriate District publications

Guiding Principles

Informal Process

The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Direct Communication with Board Members

Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.

Formal Process

If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.
The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

**Freedom from Retaliation**

Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

**Whistleblower Complaints**

Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]

**Complaints against Supervisors**

Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.

**General Provisions**

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

**Scheduling Conferences**

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee’s absence.
Response

At Levels One and Two, “response” shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee’s e-mail address of record, or sent by U.S. Mail to the employee’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

“Days” shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”

Representative

“Representative” shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.

The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.

Consolidating Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.
Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the District. The employee complaint form can be found on the VISD web site in the Human Resources department tab under staff documents.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

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

Audio Recordings

As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee’s complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and

2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.
If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the employee a written response within ten days following the conference. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

**Level Two**

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.

All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the employee a written response within ten days following the conference. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant
documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

**Level Three**

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the
The presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

A copy of the district’s employee complaint form can be found on our main webpage www.visd.net under the HR “Staff” Documents tab and/or this link:

https://1.cdn.edl.io/Qd3XRRndNvbtKyJjja0S3ild5TsRKSF5yqDsmPCXQGDfCv3Q.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 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 104 for additional information.
Employee Standards of Conduct

Policy DH (LOCAL)

Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. [See DH (EXHIBIT)]

Each District employee shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

An employee wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

Violations of Standards of Conduct

Each employee shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to his or her status as a District employee. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCD and DF series]

Employees as Role Models

In order to serve as an appropriate role model for students, each District employee shall meet and, to the extent possible, shall exceed the standards of conduct required of students.

A District employee is strictly prohibited from using foul or profane language.

Weapons Prohibited

The District prohibits the use, possession, or display of any firearm, illegal knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.

Exceptions

No violation of this policy occurs when the use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

Electronic Media

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

In accordance with administrative regulations, a certified or licensed employee, or any other employee designated in writing by the Superintendent or a campus principal, may use electronic media to communicate with currently enrolled students about matters within the scope of the employee’s professional responsibilities. All other employees are prohibited from using electronic media to communicate directly with students who are currently enrolled in the District. The regulations shall address:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with students; and
3. Other matters deemed appropriate by the Superintendent or designee.

Each employee shall comply with the District’s requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CPC]

Personnel Use

An employee shall be held to the same professional standards in his or her public use of electronic media as for any other public conduct. If an employee’s use of electronic media violates state or federal law or District policy, or 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.

Safety Requirements

Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

Harassment

An employee shall not engage in prohibited harassment, including sexual harassment, of:

1. Other employees. [See DIA]
2. Students. [See FFH; see FFG regarding child abuse and neglect.]

While acting in the course of employment, an employee shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.

An employee shall report child abuse or neglect as required by law. [See FFG]
**Relationships with Students**

An employee shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See FFH]

**Tobacco and E Cigarettes**

An employee shall not smoke or use tobacco products or e-cigarettes on District property, in District vehicles, or at school-related activities. [See also GKA]

**Alcohol and Drugs**

An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on District property or at school-related activities during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

An employee need not be legally intoxicated to be considered “under the influence” of a controlled substance.

**Exceptions**

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee’s job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee’s personal use; or
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee’s child or other individual for whom the employee is a legal guardian.
Notice

Each employee shall be given a copy of the District’s notice regarding drug-free schools. [See DI(EXHIBIT)]

A copy of this policy, a purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.

Arrests, Indictments, Convictions, and other Adjudications

An employee shall notify his or her principal or immediate supervisor within three calendar days of any charge, arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

1. Crimes involving school property or funds;
2. 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;
3. Crimes that occur wholly or in part on school property or at a school sponsored activity; or
4. Crimes involving moral turpitude, which include:
   - 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;
   - Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
   - Felony driving while intoxicated (DWI); or
   - Acts constituting abuse or neglect under the Texas Family Code.

Dress and Grooming

An employee’s dress and grooming shall be clean, neat, in a manner appropriate for his or her assignment, and in accordance with any additional standards established by his or her supervisor and approved by the Superintendent.
Educators Code of Ethics

DH(EXHIBIT)

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

Texas Educators’ Code of Ethics

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

Enforceable Standards

1. Professional Ethical Conduct, Practices, and Performance

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

Standard 1.2 The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

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

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

Standard 1.5 The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
Standard 1.6 The educator shall not falsify records, or direct or coerce others to do so.

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

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

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

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

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

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

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

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

2. Ethical Conduct toward Professional Colleagues

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

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

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

Standard 2.4 The educator shall not interfere with a colleague’s exercise of political, professional, or citizenship rights and responsibilities.
Standard 2.5 The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.

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

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

3. Ethical Conduct toward Students

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

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

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

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

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

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

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

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

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

(ii) the subject matter of the communication;

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

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

(v) whether the communication was sexually explicit; and

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

**Discrimination, Harassment, and Retaliation**

*Policies DH, DIA*

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action.

Individuals who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal, supervisor, or district official is the subject of a complaint, the complaint should be made directly to the superintendent. A complaint against the superintendent may be made directly to the board.

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

**Employee Welfare Freedom from Discrimination Harassment and Retaliation**

*Policy DIA (LOCAL)*

Note: This policy addresses discrimination, harassment, and retaliation involving District employees. For discrimination, harassment, and retaliation involving students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.
Definition

Solely for purposes of this policy, the term “employees” includes former employees, applicants for employment, and unpaid interns.

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, sexual orientation, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.

Discrimination

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, gender, sexual orientation, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee’s employment.

Harassment

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee’s race, color, religion, gender, sexual orientation, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee’s work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee’s performance, environment, or employment opportunities.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person’s religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

Sexual Harassment

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:
1. Submission to the conduct is either explicitly or implicitly a condition of an employee’s employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee’s work performance or creates an intimidating, threatening, hostile, or offensive work environment.

Examples

Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.

Retaliation

The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.

Examples

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.

Prohibited Conduct

In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Reporting Procedures

An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.

Alternatively, the employee may report the alleged acts to one of the District officials below.

Definition of District Officials

For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.
Title IX Coordinator, Staff

Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]

The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Names: Dr. Gregory Bonewald
Position: Assistant Superintendent of Human Resources
Address 102 Profit Drive, Victoria, TX 77901
Telephone: (361) 576-3131

ADA/Section 504 Coordinator, Staff

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]

The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, which incorporates and expands upon the requirements of Section 505 of the Rehabilitation Act of 1973:

Names: Dr. Gregory Bonewald
Position: Assistant Superintendent of Human Resources
Address 102 Profit Drive, Victoria, TX 77901
Telephone: (361) 576-3131

Superintendent

The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

Alternative Reporting Procedures

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.
Timely Reporting

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

Notice of Report

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

Investigation of the Report

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

Concluding the Investigation

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

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

District Action

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.
The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

**Confidentiality**

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

**Appeal**

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

The complainant may have a right to file a complaint with appropriate state or federal agencies.

**Records Retention**

Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years. [See CPC]

**Access to Policy**

This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.

**Harassment of Students**

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

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment of a student by an employee or adult will be reported to the student’s parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, pages 78-81 and *Bullying*, pages 110-114 for additional information.

The district’s policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below:
Definition of Solicitation of Romantic Relationship
Policy DHB (LEGAL)

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

1. Behavior, gestures, expressions, or communications with a student that are unrelated to the educator’s job duties and evidence a romantic intent or interest in the student, including statements of love, affection, or attraction. Factors that may be considered in determining the romantic intent of such communications or behavior include:
   a. The nature of the communications;
   b. The timing of the communications;
   c. The extent of the communications;
   d. Whether the communications were made openly or secretly;
   e. The extent that the educator attempts to conceal the communications;
   f. If the educator claims to be counseling a student, SBEC may consider whether the educator’s job duties included counseling, whether the educator reported the subject of the counseling to the student’s guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate authorities; and
   g. Any other evidence tending to show the context of the communications between educator and student.

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

3. Making sexually demeaning comments to a student.


5. Requesting details of a student’s sexual history.

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

7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
8. Inappropriate hugging, kissing, or excessive touching.

9. Providing the student with drugs or alcohol.

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

11. Any other acts tending to show that the educator solicited a romantic relationship with the student.

19 TAC 249.3(50)

**Termination of Employment**

*Policy DF (LEGAL)*

**Note:** For a detailed treatment of termination and nonrenewal of educator contracts, see policies DFAA and DFAB (Probationary Contracts), and DFBA and DFBB (Term Contracts)

**Withholding Information**

An attempt by any district employee to encourage or coerce a child to withhold information from the child’s parent is grounds for discharge or suspension under Education Code 21.104 (probationary contracts) and 21.211 (term contracts). *Education Code 26.008(b)*

**Discharge of Convicted Employees**

A district shall discharge an employee if the district obtains information through a criminal history record information (CHRI) review that:

1. The employee has been convicted of:
   a. A felony under Penal Code Title 5;
   b. An offense requiring registration as a sex offender under Code of Criminal Procedure Chapter 62; or
   c. An offense under the laws of another state or federal law that is equivalent to an offense under paragraphs a or b; and

2. At the time the offense occurred, the victim of the offense was under 18 years of age or was enrolled in a public school.

**Exception**

However, a district is not required to discharge an employee if the person committed an offense under Title 5, Penal Code, and:

1. The date of the offense is more than 30 years before June 15, 2007; and

2. The employee satisfied all terms of the court order entered on conviction.
Certification to the Commissioner

Each school year, a superintendent shall certify to the Commissioner that a district has complied with the above provisions.

Sanctions

The State Board for Educator Certification (SBEC) may impose a sanction on an educator who does not discharge an employee if the educator knows or should have known, through a criminal history record information review, that the employee has been convicted of an offense described above.

Optional Termination

A district may discharge an employee if the district obtains information of the employee’s conviction of a felony or of a misdemeanor involving moral turpitude that the employee did not disclose to SBEC or the district. An employee so discharged is considered to have been discharged for misconduct for purposes of Labor Code 207.044 (unemployment compensation).

*Education Code 22.085* [See DBAA]

Certain Offenses Against Students

Mandatory Termination

If a district receives notice that SBEC has revoked the certificate of a person based on conviction for a felony under Penal Code Title 5 or an offense requiring registration as a sex offender, and the victim of the offense is under 18 years of age, the district shall:

1. Immediately remove the person whose certificate has been revoked from campus or from an administrative office, as applicable, to prevent the person from having any contact with a student; and

2. If the person is employed under a probationary or term contract:
   a. Suspend the person without pay;
   b. Provide the person with written notice that the person's contract is void [see Notice to Employee, below];
   c. Terminate the employment of the person as soon as practicable.

*Education Code 21.058(a), (c)*
Discretionary Termination

If a district becomes aware that a person employed by the district under a probationary or term contract has been convicted of or received deferred adjudication for a felony offense, and the person is not subject to the mandatory termination provision above, the district may:

1. Suspend the person without pay;
2. Provide the person with written notice that the person’s contract is void [see Notice to Employee, below]; and
3. Terminate the employment of the person as soon as practicable.

*Education Code 21.058(c-1)*

Notice to Employee

A person’s probationary or term contract is void if the district provides written notice to the person, under the mandatory or discretionary termination provisions above, that the person’s contract is void. *Education Code 21.058(c-2)*

No Appeal

Action taken by a district under the mandatory or discretionary termination provisions above is not subject to appeal under Education Code Chapter 21 and the notice and hearing requirements of Chapter 21 do not apply to the action. *Education Code 21.058(e)*

Invalid Expired Certification

An employee’s probationary or term contract is void if the employee:

1. Does not hold a valid certificate or permit issued by SBEC;
2. Fails to fulfill the requirements necessary to renew or extend the employee’s temporary, probationary, or emergency certificate or any other certificate or permit issued under Education Code Chapter 21, Subchapter B; or
3. Fails to comply with any requirement under Education Code Chapter 22, Subchapter C [criminal history review, see DBAA], if the failure results in suspension or revocation of the employee’s certificate.

*Education Code 21.0031(a)*

A certificate or permit is not considered to have expired if:

1. The employee has completed the requirements for renewal of the certificate or permit;
2. The employee submitted the request for renewal before the expiration date; and
3. The date the certificate or permit would have expired is before the date SBEC takes action to approve the renewal of the certificate or permit.

*Education Code 21.0031(f)*
**District’s Options**

If a district has knowledge that an employee’s contract is void under Education Code 21.0031(a), the district may:

1. Terminate the employee;
2. Suspend the employee with or without pay; or
3. Retain the employee for the remainder of the school year on an at-will employment basis in a position that does not require a contract under Education Code 21.002, at the employee’s existing rate of pay or at a reduced rate.

The employee is not entitled to the minimum salary prescribed by Education Code 21.402.

*Education Code 21.0031(b)*

**Exception**

A district may not terminate or suspend an employee under 21.0031(b) because of the employee’s lack of a valid certificate or permit, or failure to renew or extend a certificate or permit, if:

1. The employee requests an extension from SBEC to renew, extend, or otherwise validate the employee’s certificate or permit; and
2. Not later than the tenth day after the date the contract is void, the employee takes necessary measures to renew, extend, or otherwise validate the employee’s certificate or permit, as determined by SBEC.

*Education Code 21.0031(b-1)*

**No Appeal or Chapter 21 Hearing**

A school district’s decision under Education Code 21.0031(b) is not subject to appeal under Education Code Chapter 21, and the notice and hearing requirements of that chapter do not apply to the decision. *Education Code 21.0031*

**Applicability**

These void contract provisions do not affect the rights and remedies of a party in an at-will employment relationship and do not apply to a certified teacher assigned to teach a subject for which the teacher is not certified. *Education Code 21.0031; Nunez v. Simms*, 341 F.3d 385 (5th Cir. 2003)

**Report to SBEC**

A superintendent shall report the educator’s termination to SBEC if the conditions set forth at Education Code 21.006 exist. [See DHB]

A principal shall report the educator’s termination to the superintendent if the conditions set forth at Education Code 21.006 exist. [See DP]
Falsification of Military Record

A district may discharge an employee, regardless of whether the employee is employed under an employment contract, if the district determines, based on a reasonable factual basis, that the employee, in obtaining the employee’s employment or any benefit relating to the employee’s employment, falsified or otherwise misrepresented any information regarding the employee’s military record in a manner that would constitute an offense under Penal Code 32.54.

An employment contract entered into by a district with an employee discharged by the employer under Labor Code Chapter 105 is void and unenforceable as against public policy. [See DF series]

Labor Code Ch. 105

Student Welfare Freedom from Discrimination, Harassment, and Retaliation
Policy FFH (LOCAL)

Note: This policy addresses discrimination, harassment, and retaliation involving District students. For provisions regarding discrimination, harassment, and retaliation involving District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct.

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, sexual orientation, national origin, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Discrimination

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, gender, sexual orientation, national origin, disability, or any other basis prohibited by law that adversely affects the student.

Prohibited Harassment

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student’s race, color, religion, gender, sexual orientation, national origin, disability, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

1. Affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student’s academic performance; or
3. Otherwise adversely affects the student’s educational opportunities.

Prohibited harassment includes dating violence as defined by this policy.

**Examples**

Examples of prohibited harassment may include offensive or derogatory language directed at another person’s religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

**Sexual Harassment by an Employee**

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or

2. The conduct is so severe, persistent, or pervasive that it:
   a. Affects the student’s ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student’s educational opportunities; or
   b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DF]

**By Others**

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it: Affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

1. Has the purpose or effect of substantially or unreasonably interfering with the student’s academic performance; or

2. Otherwise adversely affects the student’s educational opportunities.
Examples

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

Gender-Based Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student’s gender, the student’s expression of characteristics perceived as stereotypical for the student’s gender, or the student’s failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student’s academic performance; or

3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of gender-based harassment directed against a student, regardless of the student’s or the harasser’s actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Dating Violence

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:
1. Affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student’s academic performance; or

3. Otherwise adversely affects the student’s educational opportunities.

**Examples**

Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student’s family members, or members of the student’s household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student’s spouse or current dating partner, or encouraging others to engage in these behaviors.

**Retaliation**

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or participates in an investigation.

**Examples**

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

**False Claim**

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

**Prohibited Conduct**

In this policy, the term “prohibited conduct” includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

**Reporting Procedures**

**Student Report**

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, counselor, principal, other District employee, or the appropriate District official listed in this policy.
Employee Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.

Definition of District Officials

For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

Title IX Coordinator, Student

Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]

The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

- Name: Tammy Nobles
- Position: Director of Student Services
- Address: 102 Profit Drive, Victoria, TX 77901
- Telephone: (361) 576-3131

ADA/Section 504 Coordinator, Student

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]

The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

- Name: Tammy Nobles
- Position: Director of Student Services
- Address: 102 Profit Drive, Victoria, TX 77901
- Telephone: (361) 576-3131

Superintendent

The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.
Alternative Reporting Procedures

A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Timely Reporting

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

Notice to Parents

The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.

[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

Investigation of the Report

The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.

Initial Assessment

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.

If the District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.

Interim Action

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District’s investigation.

District Investigation

The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.
The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

**Criminal Investigation**

If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.

**Concluding the Investigation**

Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.

**Notification of Outcome**

Notification of the outcome of the investigation shall be provided to both parties in compliance with the Family Educational Rights and Privacy Act (FERPA)

**District Action**

**Prohibited Conduct**

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

**Corrective Action**

Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District’s policy against discrimination and harassment.
Bullying

If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.

Improper Conduct

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

Confidentiality

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

Appeal

A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

Records Retention

The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District’s records retention schedules, but for no less than the minimum amount of time required by law. [See CPC]

Access to Policy and Procedures

Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District’s website, to the extent practicable, and readily available at each campus and the District’s administrative offices.

Reporting Suspected Child Abuse

*Policies DG, DH, FFG, GRA*

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

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

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

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

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

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

Notice of Employee Responsibilities for Reporting Child Abuse and Neglect

Policy FFG(Exhibit)

What are the District’s policies addressing child abuse or neglect and my responsibilities for reporting suspected child abuse or neglect?

The applicable District policies—FFG(LEGAL) and (LOCAL), GRA(LEGAL) and (LOCAL), and DH(LOCAL) and (EXHIBIT)—are enclosed in this packet. This distribution is required by state law. At regular intervals, these policies will be addressed in staff development as well. If you have any questions about these policies, please contact, Mrs. Lisa Blundell at (361) 788-9330.
What are my legal responsibilities for reporting if I suspect that a child has been or may be abused or neglected?

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

Any District employee, agent, or contractor has an additional legal obligation to submit the oral or written report within 48 hours of learning of the facts giving rise to the suspicion.

An employee will make a report if the employee has cause to believe that an adult was a victim of abuse or neglect as a child and the employee determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.

Are there any restrictions on reporting?

Under state law, an employee is prohibited from using or threatening to use a parent’s refusal to consent to administration of a psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:

- Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
- Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

To whom do I make a report?

Reports may be made to any of the following:

- A law enforcement agency: The Victoria Police Department, at (361) 573-3221, or the Victoria Sheriff’s Office, at (361) 575-0651;
- The CPS division of the Texas Department of Family and Protective Services, at (800) 252-5400 or on the web at [http://www.txabusehotline.org](http://www.txabusehotline.org); or
- If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to CPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.

Reporting your suspicion to a school counselor, a principal, or another school staff member does NOT fulfill your responsibilities under the law. Furthermore, the District cannot require you to report your suspicion first to a school administrator.
Will my report be kept confidential?

State law requires that the identity of a person making a report of suspected child abuse or neglect be kept confidential.

Will I be liable in any way for making a report?

A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

What will happen if I don’t report suspected child abuse or neglect?

By failing to report a suspicion of child abuse or neglect:

- You may be placing a child at risk of continued abuse or neglect;
- You are violating the law and may be subject to legal penalties, including criminal sanctions;
- You are violating Board policy and may be subject to disciplinary action, including possible termination of your employment; and
- Your certification from the State Board for Educator Certification may be suspended, revoked, or canceled.

What are my responsibilities regarding investigations of abuse or neglect?

State law specifically prohibits school officials from:

- Denying an investigator’s request to interview a child at school in connection with an investigation of child abuse or neglect; or
- Requiring that a parent or school employee be present during the interview.

School personnel must cooperate fully and may not interfere with an investigation of reported child abuse or neglect.

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.visd.net in the district improvement plan. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child’s mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).
Employees are required to follow the procedures described above in *Reporting Suspected Child Abuse*.

**Reporting Crime**  
*Policy DG*

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

**Technology Resources (Responsible use of Technology Agreement)**  
*Policy CQ LOCAL, Responsible use of Technology Agreement*

The Victoria Independent School District provides an array of technology resources for employee use to enhance the learning environment, facilitate resource sharing and to promote communication. 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 will use computers in conformity with laws of the United States and the State of Texas. Violations include, but are not limited to, the following:

- **Criminal Acts** - These include, but are not limited to, “hacking” or attempting to access computer systems without authorization, harassing email, cyberbullying, cyberstalking, child pornography, vandalism, and/or unauthorized tampering with computer systems. (A list of Federal statutes from the United States Department of Justice is below as Appendix A).
- Libel Laws - Publicly defaming people through the published material on the internet, email, etc.

- Copyright Violations - Copying, selling or distributing copyrighted material without the express written permission of the author or publisher (users should assume that all materials available on the Internet are protected by copyright), engaging in plagiarism (using other's words or ideas as your own).

The use of the network is a privilege, not a right, and may be revoked if abused. Employees are personally responsible for his/her actions when utilizing the school’s computer resources.

Network storage areas are the property of the school district. The Network Administrator may review any storage area of the school network or email to maintain system integrity and to ensure that employees are using the system responsibly. No one can claim a right to privacy or unrestricted speech in the use of the District’s systems.

Employees are not permitted to download or install any software, shareware, or freeware onto the school’s computers. Employees are not permitted to intrude into others’ files. Employees are not permitted to download and/or save copyrighted materials such music or movie files without copyright owner’s written consent.

Employees are not permitted to transmit, retrieve or store materials that are discriminatory, harassing, obscene, pornographic, or inappropriate. Employees should not seek to access sites that are inappropriate for the public school environment. The use of district online systems for personal gain, political lobbying or any other purpose which is illegal or against district policy or contrary to the district’s best interest is not permitted.

Electronic mail (E-mail) is not private and subject to the Texas Open Records Act. All employee email is archived for a period of 5 years and may be obtained by anyone wishing to submit an open records request. Do not send messages that are abusive, threatening, harassing, obscene, sexually oriented, discriminatory, damaging, illegal, false, or contain profanity. Do not send chain letters, virus warnings, urban legends or other unsubstantiated scares. Do not use the system for commercial purposes, financial gain, political lobbying or any illegal purposes. Do not open attachments without first checking the validity of the attachment with the sender. If the sender is unknown, don’t open the attachment.

Employees are required to abide by the provisions of the acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact Mrs. Samantha Schulte, Director of Technology at 361-788-9325.
Electronic Communication and Data Management

*CQ* (REGULATION)

The Superintendent or designee will oversee the District’s electronic communications system.

The District will develop and implement an Internet safety plan and acceptable use guidelines. All users will be provided copies of acceptable use guidelines and training in proper use of the system. All training in the use of the District’s system will emphasize the ethical and safe use of this resource.

Consent Requirement

No original work created by any District student or employee will be posted on a Web page under the District’s control unless the District has received written consent from the student (and the student’s parent if the student is a minor) or employee who created the work. [See CQ (EXHIBIT)]

No personally identifiable information about a District student will be posted on a Web page under the District’s control unless the District has received written consent from the student’s parent. An exception may be made for “directory information” as allowed by the Family Educational Rights and Privacy Act and District policy. [See CQ (EXHIBIT) and policies at FL]

Filtering

The Director of Technology will select, implement, and maintain appropriate technology for filtering Internet sites containing material considered inappropriate or harmful to minors. All Internet access will be filtered for minors and adults on computers with Internet access provided by the school district.

The categories of material considered inappropriate and to which access will be blocked will include, but not be limited to: nudity/pornography; images or descriptions of sexual acts; promotion of violence, illegal use of weapons, drug use, discrimination, or participation in hate groups; instructions for performing criminal acts (e.g., bomb making); and on-line gambling.

Requests to Disable Filter

Each campus principal will appoint a committee of not less than three people to review requests from their campus to add and remove blocks for that campus. The campus principal will appoint one committee member as the chairperson and liaison to the District. The district Director of Technology will work with the campus liaison to implement requested changes to the campus filtering policies. No campus may request to unblock sites that would violate federal or state law. No campus may request to unblock sites that would violate district policies or regulations.
Electronic Communications Systems Access

As appropriate and with the written approval of the immediate supervisor and completion of District network training, District employees will be granted access to the District’s system.

The District will require all passwords be changed at intervals consistent with Federal, State and Local statues, regulations and guidelines. The Director of Technology should set appropriate intervals, lengths for changing passwords that are consistent with standard industry practices. All passwords must remain confidential and should not be shared.

Any system user identified as a security risk or as having violated District and/or campus computer use guidelines may be denied access to the District’s system.

All users will be required to sign an acceptable use agreement annually for issuance or renewal of an account.

The individual in whose name a system account is issued will be responsible at all times for its proper use.

The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by District policy or guidelines.

System users may not disable, or attempt to disable, a filtering device on the District’s electronic communications system.

System users may not use proxy sites and/or software to circumvent a filtering device on the District’s electronic communications system.

Communications may not be encrypted so as to avoid security review by system administrators.

System users may not use another person’s system account without written permission from the campus administrator or District coordinator, as appropriate.

System users may not pretend to be someone else when sending/receiving messages.

System users must purge electronic mail in accordance with established retention guidelines.

System users should avoid actions that are likely to increase the risk of introducing viruses to the system, such as opening e-mail messages from unknown senders and loading data from unprotected computers.

System users may, upon obtaining prior approval from the District’s Director of Technology, upload public domain programs, download public domain programs for their own use or may non-commercially redistribute a public domain program. System users are responsible for determining whether a program is in the public domain.
System users should be mindful that use of school-related electronic mail addresses might cause some recipients or other readers of that mail to assume they represent the District or school, whether or not that was the user’s intention.

System users may not gain unauthorized access to resources or information.

System users may not change, alter and/or upgrade the hardware or software (including operating systems) of any system belonging to the District without the written consent of the Director of Technology. Systems purchased specifically to provide instruction of computer maintenance, repair and de-sign is exempted from this section.

Any malicious attempt to harm or destroy District equipment or data or the data of another user of the District’s system or of any of the agencies or other networks that are connected to the Internet is prohibited. Deliberate attempts to degrade or disrupt system performance are violations of District policy and administrative regulations and may constitute criminal activity under applicable state and federal laws. Such prohibited activity includes, but is not limited to, the uploading or creating of computer viruses.

Vandalism as defined above will result in the cancellation of system use privileges and will require restitution for costs associated with system restoration, as well as other appropriate consequences. [See DH, FN series, FO series, and the Student Code of Conduct]

Forgery or attempted forgery of electronic mail messages is prohibited. Attempts to read, delete, copy, or modify the electronic mail of other system users, deliberate interference with the ability of other system users to send/receive electronic mail, or the use of another person’s user ID and/or password is prohibited.

System users should be aware that, despite the District’s use of technology protection measures as required by law, use of the system may provide access to other electronic communications systems in the global electronic network that may contain inaccurate and/or objectionable material.

An employee knowingly bringing prohibited materials into the school’s electronic environment will be subject to disciplinary action in accordance with District policies. [See DH]

**Personal Use of Electronic Communications**

*Policy DH*

Electronic communications includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic communications also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.
As role models for the district’s students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee’s use of electronic media interferes with the employee’s ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee’s page, including content added by the employee, the employee’s friends, or members of the public who can access the employee’s page, and for web links on the employee’s page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

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

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

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

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

- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  
  - Confidentiality of student records [See Policy FL]
  
  - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law [See Policy DH (EXHIBIT)]
  
  - Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
Electronic Communications between Employees and Students

Policy DH

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

An employee is not subject to 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 email, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website.
• Communicate means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee’s personal social network page or a blog) is not a communication; however, the employee may be subject to district regulations on personal electronic communications. See Personal Use of Electronic Media, above. Unsolicited contact from a student through electronic means is not a communication.

• Certified or licensed employee means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

• The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.

• Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
  o 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;
  o 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
  o 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 6:00 p.m. and 7:00 a.m.

- An employee may, however, make public posts to a social network site, blog, or similar application at any time.

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

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

  o Copyright law [Policy CY]

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

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

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

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

- 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.

**Criminal History Background Checks**

*Policy DBAA*

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

**Employee Arrests and Convictions**  
*Policy DH*

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

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

Moral turpitude includes the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Crimes involving any felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance
- Felonies involving driving while intoxicated (DWI)
- Acts constituting abuse or neglect under the SBEC rules
If an educator is arrested or criminally charged, the superintendent is also required to report the educator’s criminal history to the Division of Investigations at TEA.

**Alcohol and Drug-Abuse Prevention**  
*Policy DH*

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

**Alcohol and Drugs/Notice of Drug Free Workplace**  
*Policy DH*(LOCAL)*

As a condition of employment, an employee shall abide by the terms of the following drug-free workplace provisions. An employee shall notify the Superintendent in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Arrests, Indictments, Convictions, and Other Adjudications, below.

An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on District property or at school-related activities during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant or mood changing, mind altering, or behavior altering drug.

An employee need not be legally intoxicated to be considered “under the influence” of a controlled substance.

**Exceptions**

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee’s job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee’s personal use; or
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee’s child or other individual for whom the employee is a legal guardian.

Sanctions

An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:

1. Referral to drug and alcohol counseling or rehabilitation programs;
2. Referral to employee assistance programs;
3. Termination from employment with the District; and
4. Referral to appropriate law enforcement officials for prosecution.

Notice

Employees shall receive a copy of this policy.

Drug Free Awareness Program

Policy DI(LOCAL)

The District shall maintain a drug free environment and shall establish, as needed, a drug-free awareness program complying with federal requirement. [See DH] The program shall provide applicable information to employees in the following areas:

1. The dangers of drug use and abuse in the workplace.
2. The District’s policy of maintaining a drug free environment. [See DH(LOCAL)]
3. Drug counseling, rehabilitation, and employee assistance programs that are available in the community, if any.
4. The penalties that may be imposed on employees for violation of drug use and abuse prohibitions. [See DI(EXHIBIT)]

Employee Responsibility

All fees or charges associated with drug/alcohol abuse counseling or rehabilitation shall be the responsibility of the employee.

Drug Free Workplace Notice

Policy DI(EXHIBIT)

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace.
Employees who violate this prohibition shall be subject to disciplinary sanctions. Sanctions may include:

- Referral to drug and alcohol counseling or rehabilitation programs;
- Referral to employee assistance programs;
- Termination from employment with the District; and
- Referral to appropriate law enforcement officials for prosecution.

As a condition of employment, an employee shall:

- Abide by the terms of this notice; and
- Notify the Superintendent, in writing, if the employee is convicted for a violation of a criminal drug statute occurring in the workplace. The employee must provide the notice in accordance with DH(LOCAL).

[This notice complies with the requirements of the federal Drug-Free Workplace Act (41 U.S.C. 702).]

**Tobacco Products and E-Cigarette Use**

*Policies DH, FNCD, GKA*

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

**Fraud and Financial Impropriety**

*Policy CAA*

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

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

Conflict of Interest
Policy CB, DBD

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

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

Employees should contact their supervisor for additional information.
Gifts and Favors

Policy DBD

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

Endorsements

An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the District employee during non-school hours. No employee shall require students to purchase a specific brand of school supplies if other brands are equal and suitable for the intended instructional purpose.

Sales

An employee shall not use his or her position with the District to attempt to sell products or services.

Copyrighted Materials

Policy CY

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

Associations and Political Activities

Policy DGA

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.
An individual’s employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Use of district resources including work time for political activities is prohibited.

Charitable Contributions
Policy DG

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

Safety
Policy CK series

The district has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, coworkers, and students and to protect and conserve district equipment, employees must comply with the following requirements:

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

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 Mrs. Lisa Blundell, Assistant Superintendent of Administration at 361-788-9330.
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 Mrs. Lisa Blundell, Assistant Superintendent of Administration at 361-788-9330 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 District Administration Building and the Maintenance Department office and is available for inspection during normal business hours.

Pest Control Treatment
*Policies CLB, DI*

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

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in an area of common access that an employee will likely see as they enter on a regular basis e.g. building entrances, doors, gates,
fences, etc. 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.

**Accounting: Activity Funds Management**

*Policy CFD(LOCAL)*

**Fiduciary Responsibility**

The Superintendent, principal, and sponsor, as applicable, shall be responsible for the proper administration of District and campus activity funds and student activity funds in accordance with state law and local policy, District-approved accounting practices and procedures, and the TEA *Financial Accountability System Resource Guide*.

**Student Activity Funds**

The Superintendent or designee shall ensure that student activity accounts are maintained to manage all class funds, organization funds, and any other funds collected from students for a school-related purpose. The principal or designee shall issue receipts for all funds prior to their deposit into the appropriate District account at the District depository.

Student activity funds shall be included in the annual audit of the District’s fiscal accounts. [See CFC]

**Use and Expenditure**

Funds collected by student groups shall be used only for purposes authorized by the organization or upon approval of the sponsor. The principal or designee shall approve all disbursements. All funds raised by student organizations must be expended for the benefit of the students.

**District and Campus Activity Funds**

The Superintendent shall establish regulations governing the expenditure of District and campus activity funds generated from vending machines, rentals, gate receipts, concessions, and other local sources of revenue over which the District has direct control. Funds generated from such sources shall be expended for the benefit of the District or its students and shall be related to the District’s educational purpose.

**Approval**

Approval from the immediate supervisor or designee shall be obtained prior to a disbursement being made to any employee, including the principal.
**Carry Over Funds**

All funds shall be left in the appropriate account and each sponsoring group shall retain the carryover funds for the next fiscal year. If an organization ceases to function or exist, the unexpended funds of the organization shall be credited to the appropriate administrative activity account.
General Procedures

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

- Victoria Radiowork LTD [KVIC-FM 95.1, KITE-FM 93.3, KBAR-FM 100.9, KVNN-AM 1340, KNAL-AM 1410 (361-576-6111)
- KHMC Majic Tejano 95.9 (361-575-9533)
- KIXS 108 (361-573-0777)
- Gap Broadcasting Victoria (361-576-1768)
- KAVU Television (361-572-0050, 361-582-4582)

Victoria ISD also utilizes the “Edulink” all call automated phone notification system that will quickly call parents and employees with a recorded message in the event of a weather related school closing or emergency situation.

Emergencies
Policies CKC, CKD

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

Purchasing Procedures
Policy CH

All requests for purchases must be submitted to the VISD Purchasing department in Central Supply 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 Mrs. Tisha Wallace, Central Supply Office Clerk, at 788-9203 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 Payroll department 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 the Payroll department or a campus Principal’s office.

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
- Information that reveals whether they have family members
- Personal e-mail address

The choice to not allow public access to this information may be made at any time by submitting a written request to Dr. Gregory Bonewald, Assistant Superintendent of Human Resources. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public until a request to withhold the information is submitted.

Building Use
Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. The District shall permit non-school use of designated District facilities for educational, recreational, civic, or social activities when these activities do not conflict with school use or with policy GKD(LOCAL). Mrs. Lisa Blundell, Assistant Superintendent of Administration is responsible for scheduling the use of facilities after school hours. Contact Mrs. Blundell at 788-9330 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 should be submitted to the Superintendent or designee. 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 following an alleged incident of misconduct for any of the acts listed in Reports to Texas Education Agency on page 104. The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in of the same acts.

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

Dismissal or Nonrenewal of Contract Employees
Policies DF Series

Employees on probationary and term contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee’s certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF series policies that are provided to employees or are available online.

Dismissal of Noncontract Employees
Policy DCD

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

**Exit Interviews and Procedures**

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

**Reports to Texas Education Agency**

*Policy DF, DHB*

The 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. “Reported criminal history” means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions,
deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

**Reports Concerning Court-Ordered Withholding**

The district is required to report the termination of employees that are under court order or writ (written order by court) 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*

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

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to Mrs. Tammy Nobles, Director of Student Services, the district Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to Mrs. Tammy Nobles, Director of Student Services, 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.

Student Records
*Policy FL*

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

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights

- The student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. A district is not prohibited from granting the student access to the student’s records before this time.

- School officials with legitimate educational interests

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal or designee 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®), 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 submit a signed note/letter stating the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

**Student Leaving Campus**

Student attendance is crucial to learning. We ask that appointments be scheduled outside of school hours as much as reasonably possible. Also note that picking up a child early on a regular basis results in missed opportunities for learning. Unless the principal has granted approval because of extenuating circumstances, a student will not regularly be released before the end of the school day.

Students are not authorized to leave campus during regular school hours for any reason, except with the permission of the principal or designee. Students who leave campus in violation of these rules will be subject to disciplinary action in accordance with the Student Code of Conduct.
State rules require that parental consent be obtained before any student is allowed to leave campus for any part of the school day. The district has put the following procedures in place in order to document parental consent:

- For students in **elementary school**, a parent or otherwise authorized adult must come to the office and sign the student out. The parent or other adult must be prepared to show identification. Once an identity is verified, a campus representative will call for the student or collect the student and bring him or her to the office. For safety purposes and stability of the learning environment, the district does not allow visitors to go to the classroom or other area unescorted to pick up the student. If the student returns to campus the same day, the parent or authorized adult must sign the student back in through the main office upon the student’s return. Documentation regarding the reason for the absence will also be required.

- For **middle school** students, a parent or otherwise authorized adult must come to the office and sign the student out. The adult should be prepared to show identification. Once an identity is verified, a campus representative will then call for the student or collect the student and bring him or her to the office. For safety purposes and stability of the learning environment, the district does not allow visitors to go to the classroom or other area unescorted to pick up the student. If the student’s parent authorizes the student to leave campus unaccompanied, the parent must submit a note in advance of the absence no later than two hours prior to the student’s need to leave campus (parent’s note must include the parent’s phone number). The principal or designee will need to review the parent’s note prior to student release. If the student returns to campus the same day, the student must check into the office before returning to class. The parent or authorized adult is encouraged to accompany the student back in through the main office upon the student’s return. Documentation regarding the reason for the absence will also be required.

- For students in **high school**, a similar process is followed. A parent or otherwise authorized adult must come to the office and sign the student out unless the student is at least 18 years of age or an emancipated minor. The adult should be prepared to show identification. Once an identity is verified, a campus representative will call for the student or collect the student and bring the student to the office. For safety purposes and stability of the learning environment, the district does not allow visitors to go to the classroom or other area unescorted to pick up the student. If the student’s parent authorizes the student to leave campus unaccompanied, the parent must submit a written note in advance of the absence no later than two hours prior to the student’s need to leave campus (parent’s note must include the parent’s phone number). The principal or designee will need to review the parent’s note prior to student release. A phone call received from the parent will be accepted, but the school may ultimately require a note to be submitted for documentation purposes. Once the office has received information that the student’s parent consents to the student leaving campus, a pass will be issued to the student to hand to his or her teacher with the necessary information. The student must sign out through the main office and sign in upon his or her return, if the student returns the same day. If a
student is 18 years of age or is an emancipated minor, the student may produce a note on his or her own behalf. Documentation regarding the reason for the absence will also be required.

If a student becomes ill during the school day and the school nurse or other district personnel determines that the student should go home, the nurse will contact the student’s parent and document the parent’s wishes regarding release from school. Unless directed by the parent to release the student unaccompanied, the parent or other authorized adult must follow the sign-out procedures as listed above. If a student is allowed to leave campus by himself or herself, as permitted by the student’s parent, or if the student is age 18 or is an emancipated minor, the nurse will document the time of day the student was released. Under no circumstances will a child in elementary be released unless accompanied by a parent or adult authorized by the parent.

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 or designee. The district’s policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

**Student Welfare Freedom From Bullying Policy**

*Policy FFI(LOCAL)*

Note: This policy addresses bullying of District students. For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirement related to child abuse and neglect, see FFG.

**Bullying Prohibited**

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

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

1. Has the effect or will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property; or

2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and

2. Interferes with a student’s education or substantially disrupts the operation of a school.

Examples

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

Retaliation

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

Examples

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

False Claim

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

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

Employee Report

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

Report Format

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

Prohibited Conduct

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

Investigation of Report

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

Concluding the Investigation

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

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

Notice to Parents

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

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

Discipline

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

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

Corrective Action

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

Transfers

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

Counseling

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

Improper Conduct

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

Confidentiality

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

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

Records Retention

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

Access to Policy and Procedures

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

Hazing

Policy FNCC

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

Administering medication, 107
Administration, 11
Alcohol and drug
  abuse prevention, 92
  testing, 16
Arrests and convictions, 91
Asbestos management plan, 98
Associations and political activities, 96
At-will employment, 15
Automatic payroll deposits, 24
Background checks, 90
Bad weather closing, 101
Benefits
  cafeteria plan, 26
  health insurance, 25
  leave, 28
  retirement, 27
  supplemental insurance, 26
  workers’ compensation, 26, 38
Board of Trustees
  information, 9
  members, 10
Breaks, 18
Breast milk, 18
Building use, 102
Bullying, 110
Cafeteria plan benefits, 26
Certification
  health and safety training, 17
  maintaining, 15
  parent notification, 19
Change of address, 102
Charitable contributions, 97
Child abuse
  notice of employee responsibilities, 79
  reporting, 78
  sexual, 81
Committees, 20
Compensation, 21
Complaint
  notice, 45
  process, 44, 45
  process, informal, 45
Complaints
  audio recordings, 48
  employee, 44
  level one, 48
  level three, 50
  level two, 49
  parent and student, 107
Compliance coordinators, 14, 106
Compliance with a subpoena, 39
Conduct and welfare, 52
Conflict of interest, 95
Contract
  employment, 14
  noncertified employees, 15
  nonrenewal, 103
Copyright materials, 96
Court appearances, 39
Court-ordered withholding, 105
Crime reporting, 82
Criminal history, 90
Dietary supplements, 107
Directories
  helpful contacts, 11
  school, 12
Discrimination
  employee, 60
  student, 106
Dismissal
  contract employees, 103
  noncontract employees, 103
District
  communications, 43
  complaint process, 45, 46
  complaint process, formal, 45
  complaint process, forms, 48
Overtime, 24
Parent and student complaints, 107
Parent notification, 19
Paychecks, 21, 22, 23
Payroll
  automatic deposits, 24
deductions, 24
schedule, 21, 22, 23
Performance evaluation, 19
Personal leave, 29
Personnel records, 102
Pest control treatment, 98
Political activities, 96
Possession of firearms and weapons, 98
Psychotropic drugs, 107
Purchasing procedures, 101
Qualifying exigency, 36
Reassignments, 17
Relationship, 66
Religious observance, 40
Resignations, 103
  contract employees, 103
  noncontract employees, 103
Retaliation, 60
Retirement
  benefits, 27
  employment after, 14
Safety, 97
Salaries, 21
School
  calendar, 11
  closing, 101
  directory, 11, 12
Searches, 16
Sexual harassment, 65
Sick leave, 30
Staff development, 20
Standards of conduct, 52
Student
  ADA/Section 504 Coordinator, 75
  attendance, 108
  bullying, 110
  complaints, 107
  dietary supplements, 107
discipline, 108
equal educational opportunities, 106
freedom from bullying policy, 110
harassment, 65, 66
hazing, 114
leaving campus, 108
medication, 107
records, 106
title IX Coordinator, 75
welfare, 71
Supplemental insurance, 26
TEA reports, 104
Teacher retirement, 27
Technology
  regulation CQ, 84
Technology resources, 82
  responsible use of technology agreement, 82
Temporary disability leave, 37
Termination
  dismissal during the contract term, 103
  exit interviews, 104
  noncontract employees, 103
  nonrenewal, 103
  reports to TEA, 103, 104
  resignation, 103
Text messaging, 88
Tobacco
  products, 94
  use, 94
Training
  health and safety, 17
  staff development, 20
Transfers, 17
Travel expenses, 25
Truancy court appearances, 39
Tutoring, 19
Unemployment insurance, 27
USERRA leave, 40
Vacancy announcements, 14
Visitors, 98
Wages, 21
Weapons, 98
Whistleblower Act, 82
Work schedule, 18
Workers’ compensation benefits, 26, 38