

INTRODUCTION

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included in the main portion of this book. Others, which the law requires to be distributed, are included in the appendix. Any policy not included in this book may be found in the complete district policy book that is available on each campus and at the Administration Building, as well as at www.tasb.org/policy/private/137901. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Personnel Office.

This handbook is neither a contract nor a substitute for the official district policy manual. It is not intended to alter the at-will status of non-contract employees or the contracts of contract employees in any way. Rather, it is a guide to and a brief explanation of district policies. District policies and procedures can change at any time. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. Policy manuals are located at each campus location and at the Administration Building and are available for employee review during normal working hours. District policies can also be found online on our website at www.kingsvilleisd.com, by clicking the policy On-Line icon on the home page.

CONTRACT EMPLOYMENT

State law requires the District to employ classroom teachers, principals, librarians, nurses and counselors under probationary term or continuing contracts. Employees in all other positions may be employed at will or by a contract that is not subject to procedures for non-renewal or termination under Chapter 21 of the Texas Education Code. Any non-certified administrators and or non-certified professionals that are employed by term contracts are subject to general and civil law requirements only, and protected by the procedural requirements of Chapter 21 of the Texas Education Code, unless specified by the board of trustees.

AT-WILL EMPLOYMENT

Employees in positions that do not require a contract have voluntarily entered into a mutual relationship called “employment at-will.” This at –will relationship, allow the employee to freely resign at anytime, with or without cause or reason. Similarly, the District may terminate employment at anytime, with or without cause or reason. **The issuance of this handbook should in no way be interpreted as a guarantee of future employment or as a property right to employment.**

DISTRICT INFORMATION

The Kingsville Independent School District serves approximately 4,100 students annually on its 9 campuses. The district employs a little fewer than 700 individuals to carry out the work of the district. For UIL purposes KISD is a part of District 31-4 A. In addition to 9 campuses, the district

also maintains the Administration Building, the Flato Campus that houses Migrant Services and the Parent Involvement Center, the warehouse, maintenance facilities and the Transportation Department. A district map is included at the end of this publication.

DISTRICT MISSION STATEMENT

The Kingsville Independent School District's mission, in partnership with the home and community, is to effectively utilize all available resources to provide all students the skills and knowledge to achieve their maximum potential. KISD will graduate productive citizens and lifelong learners prepared to compete in the 21st century.

VISION STATEMENT

KISD will be recognized as "one of the best" school districts in Texas as exemplified by:

- High standards and high student achievement in academic and extracurricular activities;
- Well-maintained and well-equipped facilities that support all district programs;
- A high level of pride, commitment and involvement by parents and the community in our schools;
- Being the strong and clear school district of choice for families in our area; and
- Superior quality in Kingsville ISD employees, instruction and KISD leadership.

PARAMETERS

- Kingsville Independent School District will require and enforce clear, open and accurate communication at all levels.
- Students and staff shall attend school without fear of weapons, drugs, harassment and intimidation.
- We will not tolerate ineffective employees at any level.
- Prejudicial and biased communications will not be tolerated.

OBJECTIVES

- To improve student behavior in the classroom.
- Upon graduation, 100 percent of KISD students will be prepared for gainful employment and/or enrollment in a post-secondary program.
- Kingsville students will meet or exceed the state's average for all grade level tested by the TAKS test.

STATEMENT OF BELIEFS

We believe that:

1. All individuals have worth and deserve to be treated with dignity and respect.
2. Change is inevitable for continuous improvement.
3. Education is the combined responsibility of the student, school personnel, parents and community.
4. Discipline is an essential part of the learning process.
5. Individuals are responsible for their actions.
6. Goals with high expectations are essential for achievement.
7. Excellence is achieved by personal commitment and practice.
8. A positive self-image promotes personal growth.
9. Cultural diversity is a strength to be valued and respected.
10. It is necessary to understand and to utilize current technology to compete in a global society.
11. Open, accurate and timely communication at all levels is vital for an organization to succeed.
12. A safe school environment is essential.
13. The family, as the basic unit of society, is where children begin to develop the foundation for their value system.
14. Excellence in education is achievable and is worth the investment.
15. Teamwork and high morale enhance the learning environment.
16. Extracurricular activities contribute to a balanced education.
17. The proper care of the environment is essential for survival.

BOARD OF TRUSTEES

Policies BA, BAA, BBA, BBB, BE, BEC, BED

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 curriculum, school taxes, annual budget, employment of the superintendent and other professional staff, facilities, and expansions. The board has complete and final control over school matters within limits established by state and federal law and regulations.

The board of trustees is elected by the citizens of the district to ensure a strong educational program for the district's children. Trustees are elected annually on a rotating basis and serve three-year terms. Trustees serve without compensation, must be registered voters, and must reside in the district.

Trustees usually meet on the first and third Tuesday of each month in the Administration Building Board Room, 207 N. Third. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the Administration Building at least 72

hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with two hours notice.

All meetings are open to the public. However, Texas law permits the board to go into a closed sessions for a number of reasons. Among others, those reasons include discussing: prospective gifts or donations; property acquisition; personnel issues, including conferences with employees and hearing employee complaints; security matters; student discipline; pending litigation and other legal issues with attorneys for the district.

Citizens are welcome at board meetings and may sign up before each meeting to address the board under the communications portion of the agenda. Those choosing to do so must comply with the board's policy for addressing the board. A copy of the policy is available at each meeting.

BOARD MEMBERS

Board members for the 2009-2010 school year include:

Larry Garza, President

Corando C. Garza, Vice-President

Jilma Vidaurri, Secretary

Juan Garza, Member

Annabelle M. Garza, Member

Romeo C. Reyes, Member

Joe R. Trevino, Member

ADMINISTRATION

The management team consists of Emilio Castro, Superintendent; Karen Griffith, Assistant Superintendent for Support Services and, Jennifer Kent Assistant Superintendent for Curriculum and Instruction.

SCHOOL CALENDAR

The school district's calendar is developed annually by the District Education Improvement Council with input from campuses and employees and then voted on district-wide by employees. The selected calendar is then presented to the board for approval. The 2009-2010 school calendar is located on line at www.kvisd.esc2.net.

HELPFUL CONTACTS

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

Administration Building

| | |
|--------------------------|----------------|
| Main number | (361) 592-3387 |
| Support Services | Ext. 8151 |
| Curriculum & Instruction | Ext. 8126 |
| Accelerated Education | Ext. 8129 |
| Crisis Management | 595-9199 |
| Data Processing | Ext. 8103 |
| Drug-Free Schools | Ext. 8139 |
| Finance | Ext. 8108 |
| Food Service | Ext. 8102 |
| Instructional Services | Ext. 8156 |
| Personnel/Risk | Ext. 8133 |
| Federal Programs | Ext. 8139 |
| Superintendent | Ext. 8113 |
| Maintenance | Ext. 8115 |
| Transportation | 595-9199 |

EMPLOYMENT

**Equal Employment Opportunity
Policy DAA**

The Kingsville Independent School District does not fail or refuse to hire or discharge any individual, or otherwise discriminate against any employee or applicant for employment, because of race, color, religion, sex, age, national origin, disability, military status, or on any other basis prohibited by law. Employment decisions will be made on the basis of each applicant’s job qualifications, experience, and abilities.

Employees with questions or concerns about discrimination on the basis of race, color, religion, sex, national origin, age or military status should contact the Title IX coordinator, Valdemar Leal, at vleal@kingsvilleisd.com or at 361-592-3387 Ext 8133. Employees with questions or concerns about discrimination on the basis of a disability should contact the 504 coordinator at eramos@kingsvilleisd.com or at 361-592-3387 ext. 8156.

JOB VACANCY ANNOUNCEMENTS

Policy DC

Announcements of job vacancies by position and location are distributed on a regular basis and posted at the central administration building, and the districts website. Each announcement will include job requirements, job qualifications and deadlines for submitting applications. With respect to vacancies in position that require a certificate or license (other than those that affect the safety and security of students as determined by the board), the vacancies will be posted

for ten (10) working days prior to being filled. (See policy DC (legal) for the exception to this requirement with respect to teaching vacancies that arise during the school year.)

CONTRACT AND NON-CONTRACT EMPLOYMENT

Policies DC, DCA, DCD

State law requires the district to employ all full-time professional employees in positions requiring a certificate from 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 non-renewal 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 probationary contracts during their first year of employment if they have not been previously employed by the district. Former employees who are hired after at least a two year lapse in district employment also may be employed by probationary contract. A probationary contract may not be for a term exceeding one school year. In general, the probationary contract may be renewed for two additional one-year terms, for a maximum permissible probationary contract period of three school years; however, with the respect to persons who have been employed as a public school teacher for at least 5 of the 8 years preceding employment by the district, the probationary period may not exceed one year. If, during the third year of the probationary contract, the Board determines that a term contract should be given, the district may make a probationary contract for a term ending with the fourth consecutive school year.

Term Contracts. Full-time teachers and professionals employed in positions requiring certification and nurses who have successfully completed the probationary period will be employed under one-year term contracts; Term contracts are also provided to the assistant superintendent for support services, the director of finance, the director of food services, the director of maintenance, the director of transportation, and the accounting supervisor. Campus principals and central office administrators are employed under two-year term contracts. The terms and conditions of employment are detailed in the contracts and employment policies. All term contract employees will receive a copy of their contract and, upon request, a copy of the Board's employment policies. In addition, a copy of those policies are available upon request for inspection at a reasonable time at each school in the district.

At-will Employees. All paraprofessional and auxiliary employees, regardless of certification, are employed at will and not by contract. Other Employees employed on an at-will basis include, but are not limited to, employees in the following categories: non-administrative, non-certified professionals, and teachers with school district permits. At-will employees may be dismissed at any time for any reason not prohibited by law, or for no reason, as determined by the needs of the district. A dismissed at-will employee may request to be heard by the Board in accordance

with DGBA (local). Employment is not for any specified term and may be terminated at any time by either employee or the district.

DCC (LOCAL)

Any District employee hired under a continuing contract prior to April 9, 2003 shall remain on a continuing contract until the employee relinquishes the contract.

Policies relating to employment by educator term contract [see DCB and the DFB series] do not apply to employees on continuing contracts.

SEARCHES AND ALCOHOL AND DRUG TESTING

Policy DHE

Non-investigatory searches in the workplace, including accessing an employee’s desk, file cabinets, or work area in order 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, work areas, lockers, and private vehicles parked on district premises or worksites or used in district business.

DEPARTMENT OF TRANSPORTATION TESTING PROGRAM

Policy DHE

The district is required to conduct testing of commercial motor vehicle operators for use of alcohol or controlled substances in a manner that is prohibited by law or regulation. All testing for alcohol or controlled substances will be conducted in accordance with the procedures required by federal regulations. Required testing includes pre-employment, post-accident, random, reasonable suspicion, return-to-duty and follow-up testing. Drivers cannot refuse to submit to such testing, and the district will not permit a driver who refuses to submit to such tests to drive district vehicles or perform safety-sensitive functions.

The purpose of alcohol and drug testing is to ensure safety and prevent accidents and injuries resulting from the misuse of alcohol and drugs by drivers of commercial motor vehicles. Any employee who is required to have 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 when they are driving.

As previously noted, alcohol and drug testing will be conducted before an individual assumes driving responsibilities, as well as 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 when an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs returns to duty.

All employees subject to alcohol and drug testing under this section of the Handbook will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Joe Mendiotta, director of transportation.

FIRST AID, CPR AND AED CERTIFICATION

Policy DBA

Head marching band directors, head coaches, or chief sponsors of an extracurricular athletic activity (including cheerleading) that is sponsored or sanctioned by the district or University Interscholastic League (UIL) must maintain and submit to the district proof of current certification in first aid and cardiopulmonary resuscitation (CPR). Certification must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification.

Each school nurse, assistant school nurse, athletic coach or sponsor physical education instructor, marching band director, cheerleading coach, and any other employees specified by the commissioner of education must receive and maintain certification in the use of an AED. This certification must be issued by the American Heart Association, the American Red Cross or a similar nationally recognized association.

SUPPLEMENTAL DUTIES

Non-contractual supplemental duties for which supplemental pay is received may be discontinued by either the employee or the district at any time. An employee who wishes to relinquish a paid supplemental duty may do so by notifying the Superintendent or designee in writing. Paid supplemental duties are not part of the district's contractual obligation to the employee, and an employee shall hold no expectation of continuing assignment to any paid supplemental duty.

REASSIGNMENTS AND TRANSFERS

Policy DK

All personnel are subject to assignment and re-assignment by the superintendent. (Reassignments are transfers to another position, department or facility that does not necessitate a change in the employment contract employee; change in an employee's contract shall be accomplished in accordance with policy DC.) Campus re-assignments must be approved by the principal at the receiving campus; however when re-assignments are due to

enrollment shifts or program changes, the superintendent has final placement authority. The principal's criteria for approval of campus assignments must be consistent with district policies relating to equal opportunity employment as well as with staffing patterns in the district and campus plans. In exercising their authority to approve assignments and re-assignments, principals must work cooperatively with the central office staff to ensure operation of the District as a whole. Extra-curricular or supplemental duty assignments may be re-assigned at any time. Employees who object to a re-assignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

Employees with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the director of personnel. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Personnel Office.

WORKLOAD AND WORK SCHEDULES

Policy DL

Professional employees: Professional and administrative employees 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 required days of service and scheduled holidays will be distributed each school year.

Classroom teachers will have planning periods for instructional preparation and 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. Classroom Teachers and full-time librarians are entitled to a duty-free lunch period of at least 30 minutes. If necessary because of a personnel shortage, extreme economic conditions, unavoidable or unforeseen circumstances, the district may require classroom teachers or librarians to supervise students one day a week when no other personnel are available.

Paraprofessional and auxiliary employees: Support employees are employed at will and will be notified of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

NOTIFICATION OF PARENTS REGARDING QUALIFICATION

Policy DK, EHBD

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

Inappropriately certified or uncertified teachers include individuals serving with an emergency permit (including individuals waiting to take the EXCET or TEXES exam) or individuals who do not hold any certificate or permit. No later than the 30th instructional day after the date of assignment the superintendent or designee will send a written notice to parents. Information relating to teacher certification will be made available to the public upon request.

In schools receiving Title I funds, the district is also required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request information regarding the professional qualification of their child's teacher. NCLB also requires that parents be notified if their child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified. No later than the 20th instructional day after the date of the assignment, the superintendent or designee will send a written notice to parents.

Employees who have questions about their certification status can call the Personnel Department.

PERFORMANCE EVALUATION

Policy DN, DNA, DNB

All district employees must be periodically appraised in the performance of their duties, consistent with the principals set out in Board policy DN (LOCAL). In general evaluation of an employee's job performance should be a continual process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. Except as may otherwise be set out in Board policy, 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 can also be used to document performance information. All employees will receive a copy of their written evaluation, have a performance conference with their supervisor, and get the opportunity to respond to the evaluation. In addition, the supervisor may have as many conferences with an employee concerning the employee's job performance as the supervisor deems necessary. Employees may present complaints involving the evaluation and appraisal process in accordance with the District's employee complaint process, set out in board policy DGBA (LOCAL).

PERFORMANCE APPRAISAL EVALUATION OF TEACHER

Upon a teacher's request for a second appraiser, the superintendent or designee shall select the second appraiser from a pre-established roster or trained appraisers. Complaints regarding teacher appraisals shall be addressed in accordance with Board policy DGBA (LOCAL).

EMPLOYEE INVOLVEMENT

The Annual Appraisal of District teachers shall be in accordance with the Professional Development and Appraisal System (PDAS). All requirements indicated by PDAS will be followed, unless otherwise specified in Board policy. Appraisal records and other documentation as part of the PDAS may be used for staff development purposes or employment decisions. Detailed information concerning performance appraisal evaluation of teachers can be found at Board policy DNA (LEGAL) and DNA (LOCAL).

Policy BQA, BQB

At both the campus and district levels, KISD offers opportunities for involvement in matters that affect employees. As part of the district's decision-making process, employees may either be asked or 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 Office of Instructional Services.

STAFF DEVELOPMENT

Policy DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development is predominantly campus-based, related to achieving campus performance objectives, and developed and approved by district- and campus-level advisory committees. Staff development for non-instructional personnel is designed to meet specific licensing requirements.

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

COMPENSATION AND BENEFITS

Salaries, wages, and stipends

Policy DEA

The Board approves compensation plans for all District; Compensation plans may include wage and salary structures, stipends, benefits, and incentives. The Superintendent is responsible for administering the compensation plans consistent with the budget approved by the board, and the superintendent or designee classifies each job title within the compensation plans, based upon the qualifications and duties of the position. Within these classifications, the Superintendent or designee determines appropriate pay for new employees and employees re-assigned to different positions.

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or non-exempt according to federal law. Professional and administrative employees are generally classified as

exempt and are paid monthly salaries, and are not entitled to overtime compensation. Other employees are generally classified as non-exempt, and most non-exempt employees are paid based on an hourly basis. Hours worked.

The superintendent or designee may assign non-contractual supplemental duties to personnel exempt under the FLAS as needed. An employee assigned to those supplemental duties will be compensated for carrying out those assignments in accordance with the District's compensation plans.

Employees who are paid on an hourly basis shall be compensated for all hours worked. Non-exempt employees who are paid on a salary basis are paid for a 40-hour work week, and do not earn additional pay unless the employee works for more than 40 hours.

A non-exempt employee must have the approval of his or her supervisor before working overtime. An employee who worked overtime without prior approval is subject to discipline, but shall be compensated in accordance with FLSA.

At the District's option, non-exempt employees may receive compensatory time off rather than overtime pay, for overtime work. The employee will be informed in advance if overtime hours will accrue compensatory time rather than pay.

Compensatory time earned by non-exempt employees may not accumulate beyond a maximum of 60 hours. If an employee has a balance of more than sixty (60) hours of overtime, the employee will be required to use compensatory time or at the district's option, will receive overtime pay.

Compensatory time shall be used within the duty year in which it is earned; If an employee has any unused compensatory time remaining at the end of a fiscal year, the employee shall receive overtime pay. Use of compensatory time may be at the employee's request or as determined by the employee's supervisor to protect the District's schedules and activities. An employee may use compensatory time in accordance with the District's leave policies, if such use does not unduly disrupt the operations of the district.[See DEC (LOCAL)]. The District may require an employee to use compensatory time when in the best interest of the district.

Salaries and wages are reviewed on an annual basis and adjusted according to the budgeted amounts approved by the Board. All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers, counselors, nurses and librarians will be paid no less than the minimum state salary schedule. Contract employees who perform extra-curricular duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

A contract employee's pay shall not be increased after performance on the contract has begun, unless there is a change in the employee's job assignment or duties that warrants additional compensation. Any such changes in pay during the term of the contract require Board approval.

The Superintendent may grant a pay increase to a non-contract employee after duties have begun only when there is a change in the employee's job assignment or duties, or when an adjustment in the market value of the job warrants additional compensation. The Superintendent is required to report any such pay increases to the Board at the next regular meeting after deciding to grant such a pay increase.

Employees should contact the Personnel Office for more information about the district's pay schedules or their own pay.

PAYCHECKS

ALL SCHOOL DISTRICT EMPLOYEE SALARIES ARE ANNUALIZED

The District shall pay all salaried employees over 12 months, regardless of the number of months employed during the school year. A salaried employee shall receive his or her salary in equal monthly or bi-monthly payments, beginning with the first pay period of the school year.

If a salaried employee separates from service before the last day of instruction, the employee shall receive in his or her final paycheck the unpaid amount the employee has actually earned from the beginning of the twelve-month pay period until the date of separation. For the purposes of this policy, "separation from service" shall be as defined in IRS regulation 26 CFR1.409A-1(h).

A salaried employee who separates from service on or after the last day of instruction shall be as follows:

1. An employee who is retiring under the Texas Teacher Retirement system shall receive in his or her final paycheck the unpaid amount the employee has actually earned from the beginning of the 12-month pay period until the date of separation. If the employee is eligible and elects to continue enrollment in the district's group health coverage for one or more months of the summer, the employee's share of premiums shall be withheld from the final paycheck.
2. All other employees shall be paid according to annualized salary provisions above. [For provisions on continuation of coverage after resignation, see CRD(LLEGAL).]

Professional employees are paid monthly. Auxiliary employees are paid every two weeks. During the school year, paychecks are delivered to each campus. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. During summer breaks, paychecks will be distributed at the Administration Building and then mailed at the end of the day if not picked up.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

AUTOMATIC PAYROLL DEPOSIT

The district offers employees automatic payroll deposit. Employees can have their paychecks electronically deposited into an account at a variety of banking institutions. A notification period of one month is necessary to activate this service. With automatic deposit, an employee's paycheck is immediately available on the pay date. Contact the Payroll Office for more information about the automatic payroll deposit service.

PAYROLL DEDUCTIONS

Policy CFEA

Automatic payroll deductions for the Texas Teacher Retirement System (TRS) and federal income tax are required for all full-time employees. Medicare tax deductions are required for all employees hired after March 31, 1986. Temporary and part-time who are not eligible for TRS membership must participate in the alternate retirement plan offered by the district.

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; higher education savings plans and savings payments through the Kingsville Area Educators Federal Credit Union. Employees may also request payroll deduction for payment of membership dues to professional organizations and to the United Way. Salary deductions are automatically made for unauthorized or unpaid leave.

Each employee is urged to review the payroll deductions shown on the employee's paycheck or paystub **each** pay period to ensure that the correct types and amounts of deductions are being taken out of the employee's pay.

OVERTIME COMPENSATION

Policy DEA

The district compensates overtime for non-exempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or non-exempt for purposes of overtime compensation. Only non-exempt employees (hourly employees and some paraprofessional employees) are entitled to overtime compensation. Non-exempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.

Overtime is legally defined as all hours worked in excess of 40 hours weekly and is not measured by the day or by the employee's regular work schedule. Employees who must work beyond their normal schedule but less than 40 hours per week will be compensated in straight-time pay or compensatory time off. Employees must work more than 40 total hours in a week to earn overtime compensation.

For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Saturday and ends at 11:59 p.m. Friday. Employees may be compensated for overtime with compensatory time off or direct pay at time-and-a-half rates. The following applies to all nonexempt employees:

As noted above compensatory time earned by nonexempt employees may not accumulate beyond a maximum of 60 hours, compensatory time shall be used within the duty year in which it is earned. Use of compensatory time may be at the employee's request or as determined by the employee's supervisor to protect the District's schedules and activities.

Weekly time sheets will be maintained on all nonexempt employees for the purpose of wage and salary administration.

OVERTIME COMPENSATION EXEMPT EMPLOYEES

Policy DEA (Local)

All administrators, teachers, counselors, diagnosticians and librarians are exempt employees; as such, the salaries of these employees are intended to cover all hours worked.

TRAVEL EXPENSE REIMBURSEMENT

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor and the Director of Finance must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule authorized by the board of trustees and the Internal Revenue Service. Employees must submit receipts to be reimbursed for expenses other than mileage.

HEALTH, DENTAL/VISION, AND LIFE INSURANCE

Policy CRD

Group health insurance coverage is available to employees who are employed full-time. The district's contribution to employee insurance premiums is determined annually by the board of trustees. Detailed descriptions of insurance coverage, prices, and eligibility requirements are provided to all employees in a separate booklet called the KISD Group Health Protection Plan.

The health insurance plan year is from Sept. 1 through Aug. 31. The dental/vision plans are from December through November. New employees must complete enrollment forms within 31 days of their employment. Current employees can make changes in their insurance coverage each August. Employees should contact the Personnel Office for initial enrollment.

SUPPLEMENTAL INSURANCE BENEFITS

Policy CFEA

At their own expense, employees can enroll in supplemental insurance programs for annuities, cancer, disability, vision, dental and life insurance. Premiums for these programs can be paid by payroll deduction. Employees should contact the Personnel Office for initial enrollment.

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 at 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. 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 and all employees should review Board policies CRE (LEGAL) and CRE (LOCAL) for more information about this benefit. All work-related accidents or injuries should be reported immediately to the Director of Personnel, Valdemar Leal. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code.

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 under the Texas Unemployment Compensation Act. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the Personnel Office.

TEACHER RETIREMENT

Employees who plan to retire under TRS should notify the Personnel Office as soon as possible. Information on the application procedures for TRS benefits is available at the Personnel Office. Additional inquiries should be addressed to: Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-397-6400.

All personnel employed on a regular basis for at least one-half of the normal work schedule are members of the Teacher Retirement System of Texas (TRS). For new employees, there is a 91-day waiting period before TRS membership begins. Substitutes not receiving TRS benefits who work at least 90 days a year are also eligible for TRS membership and to purchase a year of creditable service. 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.

LEAVES AND ABSENCES

Policy DEC

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 have personal needs that will require long leaves of absence should call the Personnel Office for counseling about leave options, continuation of benefits, and communicating with the district.

Employees who take an unpaid leave of absence may continue their insurance benefits at their own expense. Health care benefits for employees on leave authorized under the Family and Medical Leave Act will be paid by the district, as they were when they were working. (Please note: If an employee fails to return to work after the employee's FMLA leave entitlement has been exhausted or expires, the District may recover its share of health care premiums paid during the FMLA leave period.) The district does not make benefit contributions for employees who are not on active payroll status.

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form. Any employee who is absent more than five days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the nature of the illness and, in the case of personal illness, the fitness to return to work.

Personal and local sick leave is earned on a yearly basis. Leave is available for the employee's use upon employment. If an employee leaves the district before the end of the work year, the cost of any unearned leave days shall be deducted from the employee's final paycheck.

PERSONAL LEAVE

State law requires that all employees receive up to five days of paid personal leave per year. Personal leave is earned at a rate of one-half a workday for each 18 workdays of employment, up to the maximum of five days per year. A day of earned personal leave is equivalent to an assigned workday. There is no limit on the accumulation of state personal leave, and it can be transferred to other Texas school districts and is generally transferable to education service centers. There are two types of personal leave: non-discretionary and discretionary.

Non-discretionary.: Leave that is taken for personal or family illness, emergency, a death in the Immediate family or active military service. This type of leave allows very little or no advance planning and will be granted to employees in the same manner as sick leave.

Discretionary: Leave that is taken at an employee's discretion and that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a notice of the request one day in advance of the anticipated absence to his or her principal or supervisor. Discretionary personal leave will be granted on a first-come, first-served basis and will be subject to the following limitations:

- A maximum of 10 percent of campus employees in each job category will be permitted to take discretionary personal leave at the same time.
- Discretionary leave may not last more than five consecutive workdays, except with special approval for extenuating circumstances, as determined by the superintendent.
- Discretionary leave may not be taken on the following key days: the day before and the day after school holidays; days scheduled for end-of-semester or end-of-year exams; days scheduled for state-mandated assessments; and professional or staff-development days.
- 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.

Temporary Disability: Each full-time educator shall be given a leave of absence for temporary disability at any time the educator's condition interferes with the performance of regular duties. The contract or employment of the educator may not be terminated while the educator is on leave of absence for temporary disability. For purposes of temporary disability leave, pregnancy is considered a temporary disability.

A request for leave of absence for temporary disability must be made to the superintendent. The request must:

1. Be accompanied by a physician's statement confirming inability to work;
2. State the date requested by the educator for the leave to begin; and
3. State the probable date of return as certified by the physician.

SICK LEAVE

Previously accumulated state sick leave is available for use and may be transferred to other school districts in Texas. Sick leave can be used only in 1 or 1/2-day increments except when coordinated with family and medical leave taken on the intermittent or reduced-schedule basis and workers' compensation benefits. If an employee uses more sick leave than he or she has earned, the cost of unearned sick leave will be deducted from the employee's next paycheck. 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 leave

LOCAL LEAVE

All full-time employed persons shall earn an additional five equivalent workdays of local sick leave per school year, concurrently with state personal leave.

Local sick leave shall accumulate to a maximum of 20 equivalent workdays and shall be taken with no loss of pay.

TEMPORARY DISABILITY

Certified employees: Any full-time employees whose position requires certification from 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. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability. A full-time educator may voluntarily request to be placed on temporary disability leave or be placed on leave involuntarily.

Employees must request approval for temporary disability leave. The leave 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 disability leave is not approved, the employee must return to work or be subject to termination procedures.

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

When an employee is ready to return to work, the Personnel Office 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 do the job. Professional employees returning from leave will be reinstated to the school to which they were previously assigned as soon as an appropriate position is available. If a position is not available before the end of the school year, professional employees will be reinstated at the beginning of the following school year.

FAMILY AND MEDICAL LEAVE

Employees who work in a district where there are at least 50 employees within a 75 mile radius, have been employed by the district for at least 12 months, and have worked at least 1,250 hours during that time are eligible for family and medical leave. Eligible employees can take up to 12 weeks of unpaid leave each year between July 1 and June 30 for the following reasons:

- The birth, adoption, or foster placement of a child
- To care for a spouse, parent, or child with a serious health condition
- An employee's serious health condition

A husband and wife who are both employed by the district are subject to limits in the amount of leave that they can take to care for a parent with a serious health condition or for the birth, adoption, or foster placement of a child.

Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave. Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

Family and medical leave runs concurrently with accrued sick and personal leave, temporary disability leave and absence due to work-related illness or injury. The district will designate the leave as family medical leave, if applicable, and notify the employee that accumulated leave will run concurrently. Accumulated leave will be used as family and medical leave, except in the case of employees who are receiving workers' compensation wages benefits.

In some circumstances, employees may take family and medical leave in blocks of time or by reducing their normal weekly or daily work schedule. Intermittent leave may be taken under the following circumstances:

- To allow an employee to care for a seriously ill spouse, child, or parent;
- When an employee requires medical treatment for a serious illness;
- When an employee is seriously ill and unable to work;
- When an employee becomes a parent or has a foster child placed in his or her home.

When the need for family and medical leave is foreseeable, employees who want to use it must provide 30-day advance notice of their need. When the need for leave is not foreseeable, employees must contact the Personnel Office as soon as possible. Employees may be required to provide the following:

- Medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member;
- Second or third medical opinions and periodic recertification of the need for leave;
- Periodic reports during the leave regarding the employee's status and intent to return to work;
- Medical certification from a qualified health care provider at the conclusion of leave of an employee's ability to return to work.

Employees requiring family and medical leave should contact the Personnel Office for details on eligibility, requirements, and limitations. If it is Workers' Compensation related, they must contact the Personnel Office.

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 sick leave or any other paid leave benefits. 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 anyone who is injured as the result of a physical assault suffered during the performance of his or her job. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person non-responsible for purposes of criminal liability. An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave or counted against the employee's family and medical leave entitlement, and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

BEREAVEMENT LEAVE

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

JURY DUTY

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and may keep any compensation they receive.

OTHER COURT APPEARANCES

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Absences for court appearances related to an employee's personal business must be taken as personal leave or leave without pay (if no personal leave is available). Employees may be required to submit documentation of their need for leave for court appearances.

MILITARY LEAVE

Paid leave for military service. Any employee who is a member of the Texas National Guard, Texas State Guard, or reserves component of the armed forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days per year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Re-employment after state military leave. Employees who leave the district to enter into the United States uniformed services or ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be re-employed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they are still qualified to perform the required duties. To be eligible for re-employment, the employees must provide notice (either personally or through an appropriate officer) of their military service (unless notice is precluded by military necessity, or ID otherwise unreasonable or impossible). In addition, they must apply for re-employment within 90 days after the date of discharge or release from active military service. The application must be made in writing to the superintendent, with a copy submitted to the Personnel Office. Documentary evidence of the honorable discharge, separation or release from military service must be attached to the application.

Employees who perform service in the uniformed services may elect to continue their health plan coverage for a period not to exceed 18 months. Employees should contact the Payroll

Office for details on eligibility, requirements, and limitations relating to the rights and benefits available to veterans of military service.

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 news releases, and through special events and activities. Recognition and appreciation activities also include a banquet at the end of the school year and a ceremony honoring retirees and those receiving service awards. The District Safety Committee recognizes employees in transportation, food service and maintenance quarterly for working safely.

PERSONNEL-MANAGEMENT RELATIONS: COMPLAINTS AND GRIEVANCES

Policy DGBA

In an effort to hear and resolve employee complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly process that all employees must follow when bringing formal complaints and grievances. Employees are encouraged to formally discuss problems or complaints with their supervisors or an appropriate administrator at any time, while keeping in mind that the formal complaint process must be initiated within the deadline set out in the policy.

The formal grievance process provides all employees with an opportunity ultimately to be heard by the board of trustees, if they are not satisfied at the supervisor or administrative levels.

Policy DGBA provides employees an orderly process for the prompt and equitable resolution of grievances when a concern has not been resolved. The Board intends that, whenever feasible, grievances be resolved at the lowest possible administrative level. This policy shall not be construed to create new or additional rights beyond those granted by Board policy or law. In resolving complaints, time is of the essence.

DEFINITIONS

With the exception of the “Whistleblower” complaints provision, and unless otherwise noted, all references to “days” in the complaint policy shall mean district business days.

The terms “complaint” and “grievance” shall have the same meaning. A grievance under the complaint policy may include any topic concerning or relating to an employee’s wages, hours or conditions of work, including, but not limited to “Whistleblower” complaints and the Termination of at-will employment. Policy DGBA does **not**, however, apply to complaints making:

1. allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, or disability.(see Policy DIA);
2. allegations of unlawful discrimination or retaliation on the basis of the employee's exercise of constitutional rights(see policy DIA);
3. allegations of certain forms of harassment, including harassment by a supervisor(see Policy DIA);
4. allegations concerning retaliation to discrimination and harassment (see Policy DIA);
5. complaints concerning instructional materials (see policy EFA);
6. complaints arising from the proposed termination or suspension without pay of an employee on a probationary term or continuing contract issued under Chapter 21 of the Tex. Edu. Code (see policies DFAA,DFBA and DFCA); and
7. complaints arising from the proposed non-renewal of a term contract issued under Chapter 21 of the Tex. Edu. Code

NOTICE TO EMPLOYEES

The principal of each campus and other supervisory personnel shall ensure that employees under their supervision are informed of this policy, and are also responsible for making sure that the complaint procedure set out in the policy are properly carried out.

FREEDOM FROM RETALIATION

Neither the Board nor any District employee shall unlawfully retaliate against any employee for bringing a complaint or concern under this policy. [See also DG (LEGAL) for further information on employee rights and privileges.]

“WHISTLEBLOWER” COMPLAINTS

Employees who allege adverse employment action in retaliation for reporting a violation of law to an appropriate authority shall initiate a grievance under this policy within the time specified by law. [See DG (LEGAL)] The complaint shall first be filed in accordance with LEVEL TWO, below. Time lines for the employee and the District set out in this policy may be shortened to enable the Board to make a final decision within 60 calendar days of the initiation of the complaint.

GENERAL REQUIREMENTS OF POLICY DGBA (LOCAL)

Concerns or complaints should be expressed as soon as possible to allow early resolution at the lowest possible administration level. If an informal conference regarding a concern or complaint fails to reach a result satisfactory to the complaining employee, that employee may initiate the formal complaint process outlined below and set out in more detail in policy DGBA(LOCAL). Even after initiating the formal grievance process, employees are encouraged to seek resolution informally, and an employee whose concerns are resolved may withdraw a formal complaint at any time. Nothing set out in this Handbook or in policy DGBE itself shall be construed to create any rights beyond those granted by law or board action. Nor does the grievance process require a full evidentiary hearing or mini-trial at any level. While employees are not prohibited from communicating with a board member regarding district operations, it is inappropriate for them to do when the communication involves the subject matter of a pending hearing or complaint appeal related to the employee. A grievance must specify the individual harm alleged, and must be submitted in writing on a form provided by the District. An employee is prohibited from bringing separate or serial grievances regarding the same event or action. All time limits shall be strictly complied with unless modified by mutual written consent. Costs of any grievance shall be paid by the party incurring them.

CONSOLIDATION

Complaints arising out of an event or a series of events shall be addressed in one complaint. Employees cannot bring separate or serial complaints arising from any event or series of events that could have been addressed in a prior complaint. When the Superintendent determines that two or more individual grievances are sufficiently similar in nature and remedy to permit their resolution through one proceeding, he or she may consolidate the grievances.

REPRESENTATIVES

“Representative” means any person who or/and an organization that does not claim the right to strike and is designated by the employee to represent the employee. The employee may designate a representative through written notice to the District at any level of the process; if the employee designates such a representative with fewer than three day notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date in order to include the district’s legal counsel, even though it may result in having the grievance conference beyond the policy deadline. The District may be represented by legal counsel at any time level of the process.

INITIATING GRIEVANCE

An employee who wishes to file a grievance shall contact the personnel office. The personnel office shall provide a grievance/complaint procedure packet upon request. The grievance/complaint procedure packet shall contain a copy of the employee complaint policy

and Level One, Level Two and Level Three grievance/complaint forms. The personnel office shall keep a log with the name, address, date and signature of the person to whom a grievance/complaint procedure packet has been provided.

LEVEL ONE

As noted above an employee who has a grievance initiates the formal complaint process by submitting the grievance in writing on a form provided by the District. The form must be filed within 15 days of the time the employee first knew or should have known of the event or series of events about which the employee is complaining. Copies of any documents that support the complaint should be attached to the complaint for; if the employee does not have copies of such documents that the complaint is initiated, the employee must present them 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 form that is incomplete in any material aspect may be dismissed, but may be re-filed with all of the required information if the refiling is within the designated time for filing a complaint.

The complaint must be filed with the lowest level administrator who has the authority to remedy the alleged problem. In most circumstances, employees on school campus shall file Level One complaints with the principal; other district employees shall file Level One complaints with their immediate Supervisor. If the only administrator who has the authority to remedy the alleged problem is the superintendent or designee, the complaint may begin at Level Two, following the procedures, including deadlines, for filing complaints at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator will note the date and time a complaint form was received and immediately forward the complaint form.

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

The Level One administrator shall provide a written response to the employee within ten (10) days following the Level One conference. In reaching a decision, the administrator may consider information provided at the conference and any other relevant documents or information the administrator believes will help resolve the complaint. The Level One record shall include the original complaint form and any attachments, all other documents submitted by the employee at Level One, the written response issued at Level One, any attachments to that response, and all other documents relied upon by the Level One administrator in reaching the Level One decision

LEVEL TWO

If the outcome of the conference at Level One is not to the employee's satisfaction or if the time for a Level One 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 in writing on a form provided by the District and must be filed within ten days following receipt of a written response or, if no written response is received, within ten days of the response deadline.

The Superintendent or designee shall hold a Level Two conference within ten days after the appeal notice is filed. The conference will be limited to the issues presented by the employee at Level One and identified in the Level Two appeal notice. At the conference, the employee may provide information concerning any documents or information relied upon by the person who issued the Level One decision. The Superintendent or designee may set reasonable time limits for the Level Two conference. The Superintendent or designee shall provide a written response to the employee within ten days following the Level Two 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.

LEVEL THREE

If the outcome of the conference at Level Two is not to the employee's satisfaction or if the time for a Level Two response has expired, the employee may appeal the Level Two decision to the Board. The appeal notice shall be in writing on a form provided by the District and must be filed within ten days following receipt of the written Level Two response or, if no written response is received, within ten days of the response deadline. The Superintendent or designee shall inform the employee of the date, time, and place of the meeting at which the complaint appeal will be on the agenda.

The Superintendent or designee shall provide the Board the record of the Level Two complaint, and the employee may request a copy of that record. The Level Two record must include the Level One record, the written response issued at Level Two, any attachments to that written response, and all other documents relied upon by the administration in reaching the Level Two decision.

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 written notice of the nature of the evidence at least three (3) days before the Level Three appeal hearing.

The Level Three proceeding before the Board shall be recorded by audiotape and/or a court reporter. The presiding officer may set reasonable time limits and guidelines for the appeal, which guidelines will include providing an opportunity for both the employee and administration to make a presentation and a rebuttal. The Board shall hear the Level Three

appeal and may request the administration to provide an explanation of the decisions reached at Level One and/or Level Two.

If the Board does not make a decision regarding the Level Three appeal by the end of the next regularly scheduled Board meeting, the lack of response by the board upholds the Level Two decision. If the Board chooses to respond, the Board shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting.

CLOSED MEETING

The Board will determine whether the Level Three appeal will be presented in open or closed meeting, in accordance with applicable state law. If the grievance involves the appointment, employment evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the grievance, it may be heard by the Board in closed meeting unless the employee bringing the grievance requests that it be heard in public. However, if the grievance involves a complaint or charge against another District employee or Board member, it shall be heard in closed meeting against whom the complaint or charge is brought.

STANDARDS OF CONDUCT

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 and property of students and co-workers and maintain confidentiality in all matters relating to students and co-workers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor as early as possible (preferably in advance) 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 procedures and policies.
- 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 policy, and ethical standards for professional educators. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day the superintendent first learns of the incident.

All employees, as public servants, and as required by Boars policy DH (LOCAL) must follow the Code of Ethics and Standard Practices for Texas Educators, which is reprinted below:

CODE OF ETHICS AND STANDARD PRACTICES FOR TEXAS EDUCATORS

This code of ethics is your means of policing your profession, so KISD encourages you to carefully review it and keep it for reference.

STATEMENT OF PURPOSE

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

ENFORCEABLE STANDARDS

I. PROFESSIONAL ETHICAL CONDUCT, PRACTICES AND PERFORMANCE

Standard 1.1 The educator shall not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.

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 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 applicable 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.

II. 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, sex, disability or family status.

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 under this chapter.

III. 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 knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health or safety.

Standard 3.3 The educator shall not deliberately or knowingly 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, sex, disability, national origin, religion or family status.

Standard 3.5 The educator shall not engage in physical mistreatment of a student.

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

Standard 3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any student or knowingly allow any student to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

HARASSMENT

Policies DIA, FFH

The District prohibits harassment based upon a person's race, color, gender, national origin, disability, religion or age. Harassment of a co-worker or student motivated by race, color, gender, religion, national origin, disability, or age is also a form of discrimination and is

prohibited by law. Employees shall not tolerate harassment of others, and must report such conduct to the appropriate District officials. A substantiated charge of harassment against a student or employee shall result in disciplinary action. The term harassment includes repeated, unwelcome, and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual's race, color, gender, religion, national origin, disability, or age that is so severe, persistent or pervasive that the conduct: creates an intimidating, hostile, or offensive educational or work environment; has the purpose or effect of unreasonably interfering with another employee's work performance; or otherwise adversely affects another employee's employment opportunities.

Employees who believe they have been harassed are encouraged to promptly report such incidents to the campus principal or supervisor. If the campus principal or supervisor is the subject of a complaint, the employee shall report the complaint directly to the superintendent. An employee who suspects or knows that a student is being harassed by a school employee or by another student shall inform his or her principal or immediate supervisor.

Any allegation of harassment of students or employees shall be investigated and addressed. An employee may appeal the decision of the principal or supervisor regarding the investigation into the allegations in accordance with the employee complaint and grievance policy and procedures (See Complaints and Grievances, page 23). To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation. The district prohibits and will not tolerate retaliation against an employee who in good faith reports perceived harassment.

SEXUAL HARASSMENT

Policies DHC, FNCJ, FFG

Employee-to-employee. Sexual harassment of a co-worker is a form of discrimination and is prohibited by law as well as by District policy. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical, verbal or nonverbal conduct and other conduct or communications of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for employment decisions.
- The conduct is so pervasive, severe or persistent that it has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or otherwise offensive working environment.

Employees who believe that they have been sexually harassed by another employee are encouraged to come forward with complaints. The district will promptly investigate all allegations of sexual harassment and will take prompt appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment of other

employees. The district's policy outlining the process of filing complaints of sexual harassment can be found in Board policy DIA, which is set in full in the appendix of this handbook.

Employee-to-student. Sexual harassment of students by employees is a form of discrimination prohibited both by law and by District policy. Sexual harassment of students includes: any welcome or unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbally or nonverbal conduct; and any other oral, written, physical, nonverbal or visual conduct of a sexual nature. Romantic relationships between district employees and students are strictly prohibited. Other prohibited conduct includes but not limited to the following:

- Engaging in sexually oriented conversations for the purpose of personal sexual gratification
- Telephoning students at home or elsewhere and engaging in inappropriate social relationships
- Engaging in physical contact that is of could reasonably be construed as sexual in nature
- Enticing or threatening students to get them to engage in sexual behavior in exchange for grades or other school-related benefits.

Employees are encouraged to err on the side of caution in the relationship with students. Impressionable students can easily misunderstood or misinterpret even the most innocent remarks or actions. Allowing students to accompany you to activities that are not clearly school-sanctioned, or engaging in other activities which may compromise your position of authority, may cause students to misinterpret the nature of the relationship.

In most instances sexual abuse of a student by an employee violates a student's constitutional right to bodily integrity. Sexual abuse may include, but is not limited to, fondling, sexual assault, or sexual intercourse.

Employees who suspect a student is being sexually harassed or abused by another employee are obligated to immediately report their concerns to the campus principal; if the concerns involve conduct on the part of the campus principal, then the concerns should be reported to the District's Title IX Coordinator, Valdemar Leal. All allegations of sexual harassment or sexual abuse of a student will be reported to the student's parents and promptly investigated. Conduct that may be characterized as known or suspected child abuse will also be reported to the appropriate authorities, as required by law. Employees with questions or concerns relating to the alleged sexual harassment of a student should contact Mr. Leal at 361-592-3387 Ext. 8133.

DRUG-ABUSE PREVENTION

Policies DH, DI

KISD is committed to maintaining a drug-free environment and will not tolerate the possession use or distribution of illegal drugs or intoxicants in the workplace. Employees who possess, distribute or are under the influence of Alcohol or illegal drugs as defined by either federal or State law during working hours may be subject to disciplinary action, including termination, and will be referred to appropriate law enforcement officials for prosecution.

For more detailed information on alcohol and drug abuse see policy DH (Local) and DI (Exhibit), both of which are contained in the appendix to this handbook.

REPORTING SUSPECTED CHILD ABUSE

Policy DG, DH, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g.: state agency operating, licensing, certifying, or registering a facility); licensed or certified employees who have direct contact with children in the normal course of their duties must do so within 48 hours of the event that led to the suspicion. Reports to the Child Protective Services can be made to a local office or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person to make the report; the legal duty to report lies with each person who has cause to believe that abuse or neglect has occurred. It is the responsibility of the individual, not the school District as an entity, 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 for the commission of a Class B 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 Educators Code of Ethics and Standard Practices for Texas Educators. Finally, a failure to report as required by law could result in disciplinary action against the employee, including possible termination of employment.

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 agencies. In addition, employees must cooperate with child abuse and neglect investigators. Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. 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.

ASSOCIATIONS AND POLITICAL ACTIVITIES

Policy DGA

The district will not directly or indirectly require or coerce any employee to refrain from participating in political affairs; nor will it directly or indirectly require or coerce 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 in 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.

An Employee's participation in community, political or employee organization activities is entirely voluntarily; however, it must not interfere with the employee's performance of assigned duties and responsibilities, result in any political or social pressure being placed on students, parents or staff, or involve trading on the employee position or title with the District

SAFETY

Policy CK

The District shall take every reasonable precaution regarding the safety of its students, employees, visitors and all others with whom it conducts business. The District through the superintendent has developed and promotes the implementation of a comprehensive safety program that all employees should be aware of and participate in. 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 visitors, employees, and students, and to protect and conserve district property 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.
- Engage in safety training as required by their supervisor

Employees with questions or concerns relating to safety programs and issues can contact Valdemar C. Leal at the Personnel Office.

TOBACCO USE

Policies DH, GKA, FNCD

Smoking or using tobacco products is prohibited by law on all district-owned property and at school- related or school-sanctioned activities, on or off campus. 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 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.

EMPLOYEE ARRESTS AND CONVICTIONS

Policy DH

An employee who is charged, indicted or arrested for any felony or any offense involving moral turpitude must report the arrest, charge or indictment to the principal or immediate supervisor within three calendar days of the event. An employee who pleads no contest, enters a guilty plea or is convicted of/or receives deferred adjudication for such an offense must also report that event to the principal or immediate supervisor within three days of the event. Crimes involving moral turpitude includes, but are not limited to, 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.
- Drug-or alcohol-related offenses
- Acts constituting abuse under the Texas Family Code

This requirement to report a charge, indictment, arrest, plea of no contest, guilty plea, conviction or deferred adjudication also applies to: 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; and crimes that occur wholly or in part on school property at a school-sponsored activity.

POSSESSION OF FIREARMS AND WEAPONS

Policies FNCG, GKA

Employees, visitors, and students are prohibited from bringing firearms, illegal knives, clubs or other prohibited weapons onto school premises or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or

suspect a violation of the District's firearms and weapons policy should report it to their supervisor 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. This requirement applies to parents, Board members, volunteers, social service workers, invited speakers, maintenance and repair persons not employed by the District, vendors, Representatives of the news media, former students, and any other visitors. 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.

COPYRIGHTED MATERIALS

Policy EFE

Employees are expected to comply with the provisions of United States copyright laws relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Rented videotapes are to be used in the classroom for educational purposes only. Duplication or backups of computer programs and data must be made within the provisions of the purchase agreement and in accordance with the District's acceptable use policies and administrative regulations.

COMPUTER USE AND DATA MANAGEMENT

Policy CQ

The district's electronic communications systems, including its network access to the Internet, is primarily for administrative and instructional purposes. Limited personal use of the system 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 electronic communications systems by employees and students are not confidential or private, and all such transmissions or communications can be monitored at any time to ensure appropriate use.

Access to the District's electronic communications systems is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the system, and shall agree in writing to allow monitoring of their use, and to comply with all applicable regulations and guidelines. Employees and students who are

authorized to use the District's electronic communications systems are required to abide by the provisions of the district's communications systems policy and administrative procedures. Failure to do so can result in suspension or termination of privileges and may lead to disciplinary action. Violations of law may result in criminal prosecution as well as disciplinary action by the District. Employees with questions about computer use and data management can contact Juan Diego Vazquez-Cruz, Director of Technology.

EMPLOYEE AGREEMENT FOR ACCEPTABLE USE OF THE ELECTRONIC COMMUNICATION SYSTEM

As an employee of the District you are being given access to the District's electronic communications system. Through this system, you will be able to communicate with other schools, colleges, organizations, and people around the world through the Internet and other electronic information systems/networks. You will have access to hundreds of databases, libraries, and computer services all over the world.

With this opportunity comes responsibility. It is important that you read the District policy, administrative regulations, and the agreement form in connection with the acceptable use of the district's electronic communication system and ask questions if you need help in understanding them. Inappropriate system use will result in the loss of the privilege of using this educational and administrative tool, and could result in disciplinary action, including possible termination.

Please note that the Internet is a network of many types of communication and information networks. It is possible that you may run across some material you might find objectionable. While the District will take reasonable steps to restrict access to such material, it is not possible to absolutely prevent such access. It will be your responsibility to follow the rules for appropriate use, and to fully comply with all of the policies and administrative regulations, including those set out in the District's Acceptable Use Policy.

Rules for Appropriate Use

- The account will be used mainly for educational purposes, but some limited personal use is permitted.
- You will be held responsible at all times for the proper use of the account, and the District may suspend or revoke your access if you violate the rules.
- Remember that people who receive e-mail from you with a school address might think your message represents the school's point of view.

Inappropriate Uses

- Using the system for illegal purposes.
- Borrowing someone's account without permission.
- Downloading or using copyrighted information without permission from the copyright holder.

- Posting messages or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Wasting school resources through improper use of the computer system.
- Gaining unauthorized access to restricted information or resources.

Consequences for Inappropriate Use

- Suspension of access to the system.
- Revocation of the computer system account; and/ or
- Other disciplinary or legal action, in accordance with the District policies and applicable laws.

All employees are urged to check their e-mail periodically.

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. In addition, the acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks may result in prosecution of a class B misdemeanor offense. "Gift, favor, or service" 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.

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 piece of district property. A copy of the district's management plan is kept in the Maintenance Department Office located in the District's main administrative office, and is available for inspection during normal business hours. Updated management plans are also available for inspection during normal business hours in the administrative office and at each school. Individual school plans will be made available for inspection within five (5) working days after a request is received for such review.

PEST CONTROL TREATMENT

Policy DI

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located at front of the building. Pest control information sheets are available from campus principals or facility managers upon request.

OTHER TOPICS GENERAL PROCEDURES

BAD WEATHER CLOSING

The district may close schools for a full day or part of a day 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 or to release students early, the following radio and television stations will be notified by school officials:

- KFLZ (Bishop)
- KKBA (Kingsville and Corpus Christi)
- KUKA (Alice)
- K99 (Corpus Christi)
- CABLE MANAGEMENT ASSOCIATES - (CMA), Cable Channel 2

All District employees must seek out information and instructions concerning school closures due to severe weather either through the media or their immediate supervisor.

EMERGENCIES

All employees should be familiar with the evacuation diagrams posted in their work areas. Fire, tornado, and other emergency drills will be conducted to familiarize employees and students with evacuation procedures. Fire extinguishers are located throughout all district buildings. Employees should know the location of the extinguishers nearest their place of work and how to use them.

The District has adopted Multi-Hazard Emergency Operations Plan for use in District schools. Guidelines for prudent response, in a variety of crisis/emergency situations are included in the Plan. District employees required to respond in emergency situations should thoroughly review the Plan and be prepared to carry out the responsibilities under that Plan.

PURCHASING PROCEDURES

Policy CH

All requests for purchases must be submitted to the Finance Department on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without proper authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact the Finance Department for additional information on purchasing procedures.

NAME AND ADDRESS CHANGES

It is important that employment records be kept up to date. Employees should notify the Personnel Office if there are any changes or corrections to their name, home address, home telephone number, marital status, emergency contact, or beneficiary.

PERSONNEL RECORDS

Policy GBA

Most district records including personnel records are public information and must be released upon request. A limited amount of personal information may be withheld. Employees may choose not to allow public access to District-held information relating to their home address, telephone number, social security number or any other information that reveals whether the employee has family members by submitting a written request to the Personnel Office not later than the 14th day after employment begins or service with the District ends. If the employee fails to state his or her choice within 14 days, the information noted above is available to the public:

- Address
- Phone number
- Social Security number
- Information that reveals whether they have family members

BUILDING USE

Policy GKD

The Board permits public use of designated school facilities for educational, recreational, civic or social activities, when these activities do not conflict with school use or with policy GKD (LOCAL). Each campus principal is authorized to approve use of facilities on his or her campus; the superintendent is authorized to approve the use of other district facilities. Written application to the appropriate administrator must be made at least (10) days in advance. Except for school-sponsored groups, users shall be charged a fee for operation, supervision and clean-

up cost at designated facilities. Facility fees are not applicable when school buildings are used as polling places for public elections, for precinct and county conventions, or for public meetings sponsored by state or local governmental agencies. In addition, facility fees are not applicable to meetings of employee organizations.

The office of the Assistant Superintendent for Support Services is responsible for scheduling and approving the use of facilities, and passing on the request to the superintendent for approval. Contact Hope Perez at 592-3387 ext. 8151 to request to use school facilities and to obtain information on the fees charged.

RESIGNATIONS

Policy DFE

All resignations must be submitted in writing to the superintendent or designee. The employee must give reasonable notice, and must include in the resignation letter a statement of the reasons for resigning. A prepaid certified or registered letter of resignation shall be considered submitted upon mailing.

Contract employees: Contracted employees may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the Personnel Office. The Superintendent or designee is authorized to accept the resignation of a contract employee submitted and effective before the start date of the school year. If the resignation is submitted after the penalty-free resignation date established by law; acceptance of the resignation is contingent on finding a suitable replacement. For a resignation that is effective during the school year after the contract employee has begun duty, the Superintendent or designee shall either accept the resignation or submit the matter to the board in order to pursue sanctions allowed by law. The Superintendent or designee is authorized to accept a contract employee's resignation if it is submitted during the school year and effective at the end of the school year.

Once submitted and accepted, the resignation of a contract employee may not be withdrawn without consent of the board. The superintendent will notify the State Board for Educators Certification (SBEC) when a contract employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in policy DF (LEGAL). Before a contract employee's resignation is accepted in such a circumstance, the superintendent shall inform the employee in writing that a report will be made to SBEC that may result in sanctions against the employee's certificate. In addition, the Superintendent shall notify the board before filing a report of a resignation with SBEC.

Non-contracted employees: Non-contracted employees may resign their positions at any time, and the superintendent or designee is authorized to accept the resignation of at-will employees at any time. A written notice of resignation should be submitted to the Personnel Office at least two weeks prior to the effective date. Employees are required by policy DFE (LOCAL) to include in their written resignations a statement of the reasons for leaving.

DISMISSAL OF CONTRACTED EMPLOYEES

Policies DFAA, DFAB, DFBA, DFCA, DFD, DFBB, DFF

Employees on probationary, term and continuing contracts can be dismissed during the school year or at the end of the year according to the procedures outlined in district policies and as permitted under applicable state law. 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 (if applicable), and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination or non-renewal occurs will be provided when a written notice is given to an employee. Information on the timelines and procedures can be found in the DF policy series, copies of which are included in this handbook's appendix.

An employee's probationary, term or continuing contract under Texas Education Code Chapter 21 is void if the employee does not hold a certificate or permit issued by SBEC, or fails to fulfill the requirements necessary to extend the employee's temporary or emergency certificate or permit. After an employee receives notice that the employee's contract is void, the District may: terminate the employee; suspend the employee with or without pay; or retain the employee for the remainder of the school year in an at-will employment basis in a position other than classroom teacher, at the employee's existing rate of pay or at a reduced rate. An employee whose contract is void is not entitled to the minimum salary prescribed by the Texas Education Code. The District's decision with respect to the options involving dealing with a void contract is not subject to appeal under Chapter 21 of the Texas Education Code, and the notice and hearing requirements of that Chapter do not apply to the decision.

DISMISSAL OF NON-CONTRACTED EMPLOYEES

Policy DCD Local

Non-contract personnel employed on an at-will basis include, but are not limited to, employees in the following categories: non-administrative; non-certified professionals; teachers with school District permits; paraprofessionals; and auxiliary support employees.

Non-contract, at-will employees may be dismissed at any time, without notice, a description of the reasons for dismissal, or a hearing, for any reason not prohibited by law or for no reason, as determined by the needs of the District. It is unlawful for the district to dismiss any employee for reasons of race, religion, sex, national origin, disability, military status, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Non-contract, at-will employees may request to be heard by the board in accordance with policy DGBA(LOCAL).

EXIT INTERVIEWS AND PROCEDURES

Policy DC

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 to complete a questionnaire that provides the district with feedback on their employment experience.

All district keys, books, property, and equipment must be returned upon separation from employment. The district may withhold the cost of any items not returned from the final paycheck.

REPORTS TO THE STATE BOARD FOR EDUCATOR CERTIFICATION

Policy DF

The Superintendent is required by law to file a written report with SBEC within seven (7) days of the date the Superintendent first obtains or has knowledge of information indicating any of the following circumstances:

1. That an applicant for or a holder of an educator certificate has reported criminal history;
2. That the certificate holder engaged in conduct that violated the assessment instrument security procedures established under section 39.0301 of the Texas Education Code; or
3. That the certificate holder was terminated or resigned from employment based on a determination that the educator committed any of the following acts: (1) any form of sexual or physical abuse of a minor or other illegal conduct with a minor (2) the possession, transfer, sale, or distribution of a controlled substance; (3) the illegal transfer, appropriation or expenditure of school funds or property; (4) attempted by fraudulent or unauthorized means to obtain or alter a professional certificate or permit for the purpose of promotion or additional compensation; (5) committed a criminal offense or any part of a criminal offense on school property or at a school sponsored event; or (6) solicited or engaged in a sexual conduct or a romantic relationship with a student or minor.

REPORTS CONCERNING COURT- ORDERED WITHHOLDING

Both the employee and the District are required to report the termination of an employee that is under a court order or a writ of withholding for child support or spousal maintenance to the court and the individual receiving the support (Texas Family Code 8.210, 158.211). Notice of the following must be sent to the court and support recipient:

- Termination of employment, with the notice of this being provided no later than the seventh day after the date of termination
- The employee's last known address
- The name and address of the employee's new employer, if known

STUDENT EQUAL EDUCATIONAL OPPORTUNITIES

Policy FB

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

Questions or concerns about discrimination of students on any of the basis listed above should be directed to Title IX Coordinator, Valdemar Leal, who can be reached at 361-592-3387, ext. 8133

STUDENT RECORDS

Policy FL

Student records are confidential and are protected from unauthorized inspection or use. Employees are required to 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 record:

- Parents of a minor or of a student who is a dependent for federal income tax purposes
- The student (if 18 or older) or attending an institution of post-secondary education.
- School officials with legitimate educational interests

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

PARENT AND STUDENT COMPLAINTS

Policy FNG

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

Parents are encouraged to discuss problems or complaints with the teachers or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved

should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard by the Superintendent or superintendent's designee if they are dissatisfied with a principal's response. Once all administrative complaint procedures are exhausted, parents and students can bring their complaints to the Board of Trustees if they are not satisfied with the results at the administrative level.

ADMINISTERING MEDICATION TO STUDENTS

Policy FFAC

Only designated employees can administer medication to students, and those designated employees must do so only in compliance with the requirements of policies FFAC (LEGAL) and FFAC (LOCAL). A student who must take prescription or non-prescription medicine 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

Policy 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 dietary supplement that contains any performance enhancing compounds to any student with whom the employee has contact as part of the employee's District duties. (An employee commits a Class C misdemeanor offense if he or she engages in any of the above acts.)

PSYCHOTROPIC DRUGS

Policy FFAC

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

- Recommending that a student use a psychotropic drugs
- 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 DISCIPLINE

Policies in the FN series and FO series

Students are expected to follow the campus rules, classroom rules, and rules listed in the Student Code of Conduct and student handbook. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management procedures 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.

Teachers must file a written report with the principal or other appropriate administrator when they have knowledge that a student has violated the Student Code of Conduct. A copy of this report will be sent by the principal or administrator to the student's parents within 24 hours.

STUDENT ATTENDANCE

Policy FDD

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

HAZING

Policy FNCC, FO

Students must have prior approval from the principal or designee for any type of "initiation rites" of a school club or organization. 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 discipline person.

APPENDIX

The following Personnel related policies can be viewed in *section D- Personnel*

[DAA \(LEGAL\) EMPLOYMENT OBJECTIVES: EQUAL EMPLOYMENT OPPORTUNITY](#)
[DAA \(LOCAL\) EMPLOYMENT OBJECTIVES: EQUAL EMPLOYMENT OPPORTUNITY](#)
[DC \(LEGAL\) EMPLOYMENT PRACTICES](#)
[DC \(LOCAL\) EMPLOYMENT PRACTICES](#)
[DCB \(LEGAL\) EMPLOYMENT PRACTICES: EDUCATOR TERM CONTRACTS](#)
[DCB \(LOCAL\) EMPLOYMENT PRACTICES: EDUCATOR TERM CONTRACTS](#)
[DCC \(LEGAL\) EMPLOYMENT PRACTICES: COTINUING CONTRACTS](#)
[DCC \(LOCAL\) EMPLOYMENT PRACTICES: COTINUING CONTRACTS](#)
[DEA \(LEGAL\) COMPENSATION AND BENEFITS: SALRIES, WAGES, AND STIPENDS](#)
[DEA \(LOCAL\) COMPENSATION AND BENEFITS: SALRIES, WAGES, AND STIPENDS](#)
[DEC \(LEGAL\) COMPENSATION AND BENEFITS: LEAVES AND BALANCES](#)
[DEC \(LOCAL\) COMPENSATION AND BENEFITS: LEAVES AND BALANCES](#)
[DFAC \(LEGAL\) PROBATIONAY CONTRCTS: RETURN TO PROBATIONARY STATUS](#)
[DFBA \(LEGAL\) TERM CONTRACTS: SUSPENSION/TERMINATION DURING CONTRACT](#)
[DFBA \(LOCAL\) TERM CONTRACTS: SUSPENSION/TERMINATION DURING CONTRACT](#)
[DFBB \(LEGAL\) TERM CONTRACTS: NONRENEWAL](#)
[DFBB \(LOCAL\) TERM CONTRACTS: NONRENEWAL](#)
[DFCA \(LEGAL\) CONTINUING CONTRACTS: SUSPENSION/TERMINATION](#)
[DFD \(LEGAL\) TERMINATION OF CONTRACT: HEARINGS BEFORE HEARING EXAMINER](#)
[DFD \(LOCAL\) TERMINATION OF CONTRACT: HEARINGS BEFORE HEARING EXAMINER](#)
[DFE \(LEGAL\) TERMINATION OF CONTRACT: RESIGNATION](#)
[DFE \(LOCAL\) TERMINATION OF CONTRACT: RESIGNATION](#)
[DFF \(LOCAL\) TERMINATION OF CONTRACT: REDUCTION IN FORCE](#)
[DGBA \(LEGAL\) PERSONNEL-MANAGEMENT RELATIONS: EMPLOYEE COMPLAINTS/GRIEVANCES](#)
[DGBA \(LOCAL\) PERSONNEL-MANAGEMENT RELATIONS: EMPLOYEE COMPLAINTS/GRIEVANCES](#)
[DH \(LEGAL\) EMPLOYEE STANDARDS OF CONDUCT](#)
[DH \(LOCAL\) EMPLOYEE STANDARDS OF CONDUCT](#)
[DHE \(LEGAL\) EMPLOYEE STANDARDS OF CONDUCT: SEARCHES AND ALCOHOL/DRUG TESTING](#)
[DI \(LEGAL\) EMPLOYEE WELFARE](#)
[DI \(LOCAL\) EMPLOYEE WELFARE](#)
[DIA \(LEGAL\) EMPLOYEE WELFARE FREEDOM FORM HARASSMENT](#)
[DIA \(LOCAL\) EMPLOYEE WELFARE FREEDOM FORM HARASSMENT](#)
[DK \(LEGAL\) ASSIGNMENT AND SCHEDULES](#)
[DK \(LOCAL\) ASSIGNMENT AND SCHEDULES](#)
[DN \(LOCAL\) PERFORMANCE APPRAISAL](#)
[DNA \(LEGAL\) PERFORMANCE APPRAISAL: EVALUATION OF TEACHERS](#)
[DNA \(LOCAL\) PERFORMANCE APPRAISAL: EVALUATION OF TEACHERS](#)
[DNB \(LEGAL\) PERFORMANCE APPRAISAL: EVALUATION OF OTHER PROFESSIONAL EMPLOYEES](#)
[DNB \(LOCAL\) PERFORMANCE APPRAISAL: EVALUATION OF OTHER PROFESSIONAL EMPLOYEES](#)

To view these policies in their entirety go to www.kingsvilleisd.com policy online