

HIGGINS INDEPENDENT SCHOOL DISTRICT  
FACULTY HANDBOOK  
2018-2019

HIGGINS INDEPENDENT SCHOOL DISTRICT  
P.O. BOX 218  
406 N. MAIN STREET  
HIGGINS, TX 79046  
806-852-2171

### **INTRODUCTION**

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

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of non-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 District policies and procedures can change at any time; these changes shall superseded any handbook provisions that are associated with handbook topic, confer with their supervisor, or call the appropriate district office. Policy manuals are located in the superintendent's office and are available for employee review during normal working hours.

Mike Lee

Interim Superintendent

### **NON-DISCRIMINATION STATEMENT**

This school district and its career and technology education program does not discriminate on the basis of sex, disability, race, color, age or national origin in its educational programs, activities, or employment as required by Title IX, Section 504 and Title VI. Mike Lee, Interim Superintendent, is the District Coordinator of the Non-Discrimination Program. If you feel discrimination has been shown to you in any of these areas contact Mike Lee immediately.

### **THE ROLE OF THE BOARD OF TRUSTEES**

#### **Trustees Make Major School Policy Decisions**

Texas law grants the board of trustees the power to govern and oversee the management of the district's schools. The board is the policy-making body within the district and has overall responsibility for the curriculum, school taxes, annual budget, employment of the superintendent and other professional staff, 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 represent the community's commitment to a strong educational program for the district's children. Trustees are elected at large and serve three year terms. Trustees serve without compensations, must be registered voters, and must reside in the district.

### **Regular Meetings**

Regular school board meetings are scheduled on the third Thursday of each month at 7:00 p.m. in the Higgins High School Board/Administrative Office. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the high school front doors at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice. All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session. Closed session may occur for such things as discussing prospective gifts or donations, real-property acquisition, personnel issues including conferences with employees and employee complaints, security matters, student discipline, or to consult with attorney regarding pending litigation.

### **Citizen Presentations at Board Meetings**

Any District patron who wishes to be placed on the agenda must notify the Superintendent's office before the posting of the agenda. Citizens not on the agenda may address the board during a regular meeting by signing the guest speaker-sing-in sheet and presenting it to the board Secretary or Superintendent prior to the meeting. Persons addressing the Board are asked to limit presentations to no more than five minutes. The Board cannot take action on any item not included on the posted agenda. The only time that anyone, other than the Superintendent or School Board, should comment during a School Board meeting is if they are on the agenda or have signed up to speak during the citizens' presentation portion of the meeting.

### **Superintendent's Role**

The Superintendent is appointed by the Board of Trustees and functions as its executive officer to administer the operations of the District. He is also an advisor in keeping the Board informed of various programs, opportunities and concerns of the District. The Superintendent is available to the Board as a professional resource. His recommendation usually precedes Board action on questions relating to the operation, staffing and financing of District programs.

### **HIGGINS ISD MISSION STATEMENT**

Higgins Independent School District is committed to encouraging life-long learning, to instilling respect for self and other, and to inspiring our students to be accountable, responsible, contributing citizens.

### **HIGGINS ISD VISION STATEMENT**

The vision of the Higgins Independent School District is to maintain students as top priority. In order to support our vision, we will enhance learning by seeking a student's intrinsic motivators, which will encourage and challenge them in academics and extracurricular activities. The District will promote the futures of our students by helping them develop a positive outlook and assume personal responsibility, which would allow them to become constructive, participating citizens and parents. As a team of professionals, we will provide safe, positive collaboration to improve vertical alignment of content areas and maintain a balance of professional development and classroom responsibilities. Higgins ISD will foster community and parental involvement through positive examples and collaboration to endorse skills necessary for student success.

## HIGGINS ISD OUTCOMES

- Responsible decision makers
- Respectful of ethnic diversity
- Goal oriented
- Adaptable to change
- Critical thinkers and problem solvers
- Responsible citizens
- Strong physically, mentally and emotionally
- Effective communicators
- Life-long learner

### **I. PLANNING AND DEVELOPMENT**

The District is continuously improving the effectiveness of its programs and services through planning, evaluation, communication and technology.

- A. Development and support in budget strategic planning encompassing total District operations (including maintenance and repair of facilities and equipment).
- B. Student classroom performance is motivated by earning the privilege of participating in quality extra-curricular programs.

### **II. CURRICULUM INSTRUCTION**

Well balanced, locally developed curriculum supports an efficient, effective instructional program which meets the needs of students preparing to live in a global society.

- A. We will honor classroom instructional time and minimize classroom interruptions in order to maximize student learning.
- B. We will demonstrate our belief and expectation that every student is capable of learning and should be held accountable for his/her performance and citizenship.
- C. Through consistent, high expectations for teaching and learning, we will hold students responsible for thinking, creating, and problem solving and encourage students to recognize and transfer the aesthetic in each discipline.
- D. We will design and implement standards-based lessons and assessments based on the Texas State Content Standards.
- E. We will work collaboratively using data to develop, implement and re-examine lessons, activities and assessments to support students in reaching their potential.
- F. We will vary methods of assessment both to evaluate student learning and to inform instructions.

### **III. STUDENT SERVICES**

The District provides student services in the areas of guidance, health and safety to support the instructional program.

- A. We will provide a safe environment that foster positive character and accountability and that values individuality by treating all members of the school community with dignity and respect.

- B. We will conduct the business of education in a professional, ethical, and legal manner
- C. We will help to ensure an orderly atmosphere conducive to learning, in the classroom and on campus, by communicating school rules to students and parents and by modeling and enforcing these rules.

**IV. DISTRICT EMPLOYEES**

The District employs qualified and competent personnel and supports and encourages their professional growth.

- A. Staff evaluation will be fair and consistent with the purpose to encourage professional growth.
- B. All professional staff members are expected to continue professional growth by participating in growth activities.

**V. COMMUNICATION**

All District personnel, the Board of Trustees and the community work toward producing positive student learning outcomes by communicating with citizens and parents concerning school operations and student achievement.

**HIGGINS ISD PERSONNEL  
2017-2018**

**BOARD OF TRUSTEES**

Mr. Jay Barbee..... President  
Ms. Jamie Fuchs..... Member  
Mr. Cole Smith.....Member  
Mrs. Raven Callahan..... Member  
Mrs. Linda Nicholson.....Secretary  
Mr. Russell Ruthledge.....Vice-President  
Mr. Jason Watson.....Member

**ADMINISTRATION**

Mr. Michael Lee.....Superintendent  
Mrs. Kristy Waite.....Principal  
Mrs. Amy Woods.....Business Manager  
Mrs. Clare Allen.....PEIMs Coordinator/Registrar

**PERSONNEL**

Mrs. Mavonteine "George" Slavin.....School Nurse/  
Mrs. LeAnna Thompson.....PK/Kindergarten  
Miss Lacey Habekott.....First Grade  
Mrs. Renea Starbuck.....Second/Third Grade  
Ms. Javon Hassler.....Technology Coordinator/H.S. Business  
Mrs. Becky Suthers.....4<sup>th</sup> Math and 4<sup>th</sup>/5<sup>th</sup> Science/RTI  
Mrs. Nancy Habekott.....Reading Specialist  
Mr. Nick Tarr..... Special Education/Coach  
Mr. Shawn Kerr.....Junior High English  
Mrs. Drucy Cockrell.....Career/ J.H. Remedial Math  
Mrs. Jody Wiederstein.....4<sup>th</sup> ELA/5<sup>th</sup> Math; H.S. Art  
Mr. Al Davis..... H.S. Math/J.H. Math  
Mrs. Leslie Amaducci.....H.S. and J.H. Science  
Mrs. Kambria Witschi..... H.S. English  
Mr. Jeff Neal..... H.S. S.S./Government/Coach

**LUNCHROOM PERSONNEL**

Mrs. Valerie Williams.....Food Service Director  
Mrs. Carla Watson.....Head Cook  
Mrs. Felecia Callaway.....Cook

**MAINTENANCE/JANITORIAL PERSONNEL**

Mr. Mac McGinley.....Maintenance  
Mrs. Lisa Hammons.....Maintenance/Housekeeping  
Mr. Gerry Don Wells.....Maintenance/Housekeeping

**TRANSPORTATION**

Mrs. Judy Barbee.....Route Driver  
Mrs. Valerie Williams.....Route Driver

## **ACTIVITY SPONSORSHIPS**

All activity sponsors should view their responsibilities as extremely important. Every effort should be made to prepare Higgins students to successfully compete in these activities. Sponsors should conduct themselves with the same professionalism in these activities as they do in the classroom.

### ***Transportation for School Activities***

Please follow these procedures when requesting and using school transportation for school related functions.

- Obtain request form from the office, complete and return for approval from the Principal/Superintendent
- Turn the request in at least five days prior to the trip. If request are made less than five days in advance, vehicle availability could be affected
- Be accurate when filling out the request giving the actual leaving time, return time and number of riders (consolidate groups with the same destination when possible).
- Check for conflicts with administration
- Complete vehicle odometer reading sheet (beginning and ending odometer and reason for trip).
- Return the vehicle and the key to administration as soon as possible upon your return. **VEHICLES ARE TO BE REFILLED WITH FUEL BEFORE RETURNED.**
- Be sure to notify Administration of any cancellation or time changes as soon as possible.

## **CREDIT CARD USAGE**

School credit cards are available. School personnel should make arrangements for money before taking any trips. Credit cards will not be issued until paperwork has been approved by the Superintendent. Itemized receipts must be turned in to Mrs. Woods immediately following the trip/workshop.

### **PER DIEM**

Meal/Incidental: Employees \$33.00; Students \$30.00 MAXIMUM DAILY

Lodging – Arrangements will need to be made with Mrs. Woods.

Tax laws regarding travel away from home (but not overnight) is not considered “travel” for purposes of meals. Therefore, any reimbursement for meals incurred on such day trips is taxable to the employee. Room service, movies, phone calls, etc. will be the responsibility of the traveler and should not be placed on the school credit card.

## **ADMINISTRATIVE RESPONSIBILITIES**

### **Superintendent**

- Administrative responsibility and leadership for the planning operation and evaluation of the educational programs, services and facilities of the District.
- Administrative responsibility for the assignment and evaluation of all personnel of the District other than the Superintendent.
- Recommendations concerning the selection of personnel.
- Initiation of termination, suspension or non-renewal of a contract.
- Management of the day-to-day operation of the District.
- Preparation and submission of the District budget.
- Recommendations on policies and oversight of policy implementation.
- Development of administrative regulations for the implementation of policy.
- Liaison between the school and the community.

### **Business Manager**

- Receive invoices and pay bills from appropriate funds.
- Coordinates payroll and payroll deductions.

### **Principal**

- Administrative responsibility for the instructional leadership on the campus.
- Development of campus budgets.
- Assignment and evaluation of campus personnel.
- Recommendations for termination, suspension, or non-renewal of contract employees on the campus.
- Textbook coordinator for the campus.
- Enrollment of students including recommendations for the acceptance or rejection of transfer applicants.
- Provide instructional resources and materials to support the teaching staff in accomplishing goals.
- Coordinate extra-curricular activities.
- Maintain the overall discipline on the campus.
- Enforce the dress code for students and teachers.
- Secure substitute teachers.

### **Athletic Director**

- Direct and manage the District's athletic program and facilities.
- Compile budgets for each sport that are based on documented program needs.
- Implement all policies applicable to athletic programs (UIL, SBOE, etc.).
- Establish the physical and academic requirements of eligibility for each student.
- Maintain student academic records.
- Liaison between colleges and the school.

### **ADVANCED ACADEMIC TRAINING**

After approved courses have been completed, be sure to have this information filed in your personnel records in the Superintendent's office.

### **ALCOHOL AND DRUG TESTING**

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.

Alcohol and drug tests will be conducted following an accident, when reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct and as a follow-up measure. 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 will receive a copy of the District's policy, the testing requirements and detailed information on alcohol and drug abuse and the availability of assistance programs. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact the Superintendent.

### **ASBESTOS MANAGEMENT PLAN**

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 Superintendent's office, each campus office and is available for inspecting during normal business hours.

### **BAD WEATHER CLOSING**

The District may close school for a full day or part 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, this information will be sent to parents and teachers through Swift K-12; information may also be on Amarillo TV Stations 4, 7, and 10 and K101.1 FM radio.

### **CAFETERIA PLAN BENEFITS**

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 enable eligible employee to pay certain insurance premiums on a pretax basis. New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject his benefit on an annual basis and during the specified time period.



## **CHECK REQUEST PROCEDURES**

All department requesting a check from the general operating or student activity fund must do so by the 10<sup>th</sup> of each month to allow ample time for processing before monthly board meetings. Documentation for the check must be included. If student activity accounts are requesting a check, the request form must first be approved by the class sponsor and then the Superintendent before purchases are made. Receipts must be obtained after purchase of goods and returned to the administration office. If you use a purchase order for the student activity account, you must attach a check request with the amount to be paid along with the original statement.

## **CONTRACT AND NON-CONTRACT EMPLOYMENT**

State law requires the District to employ all full-time professional and administrative employees in positions requiring a certificate and nurses under probationary, term, or continuing contracts.

Employees in all other positions are employed at will or by a contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the Districts.

### **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. The probationary period for those who have been employed in public schools for at least five of the eight years preceding employment with the district may not exceed one school year. For those with less experience, the probationary period will be three school years, with an optional fourth school year if the board determines it is doubtful whether a term or continuing contract should be given (DCA Legal).

### **Term Contracts**

Full-time teachers and professionals employed in positions requiring certification, who have successfully completed the probationary period, will be employed by term contracts. Principals and central office administrators are employed under two or three year term contracts. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract and where they may access employment policies.

### **Noncertified Professional and Administrative Employees**

Employees in professional and administrative positions that do not require certification (such as non-instructional administrators) are not employed by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the District.

### **Paraprofessional and Auxiliary Employees**

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

### **Dismissal of Noncontract Employees**

Non contract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal or a hearing. It is unlawful for the District to dismiss any employee for reasons of race, 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 employees who are dismissed have the right to a grievance hearing before the Board. To present a grievance, the employee must follow the District process outlined in this handbook (see Employee Grievances).

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

Employees on probationary, term and continuing contracts can be dismissed during the school year or non-renewed at the end of the year according to the procedures outlines in District policies. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Information on the timelines and procedures can be found in the DF policies that are provided to employees or in the policy manuals located in the Superintendent's office or business office.

### **COPIER/DUPLICATOR POLICY**

The office copiers will be restricted to administrative/office work. No academic/student work will be produced on these office machines unless the District academic machines are down for repair and with specific permission from administration. Most administration copying will be done by respective office personnel.

### **DISCIPLINE**

If you anticipate a serious problem, talk it over with the principal/superintendent. When a referral is made to the office, the disposition of the problem is in the hands of the administration. Classroom discipline is the teacher's responsibility and becomes the responsibility of the administration ONLY when the teacher seeks the administration's help to maintain good classroom control or if the safety of the children is in jeopardy.

### **DISCIPLINE MANAGEMENT PLAN**

The Student Code of Conduct has been revised. Each teacher will be provided with a copy of this code and student handbook and should be familiar with its content.

### **DRUG ABUSE PREVENTION**

Higgins ISD is committed to maintaining a drug-free environment and will not tolerate the use of illegal drugs in the workplace. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The District's policy on drug abuse and drug-free school can be found in the official District's policy manual.

## **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.

## **EMPLOYEE GRIEVANCES**

### **Purpose**

The purpose of this policy is to provide a timely and orderly process for the resolution of employee complaints. The School Board intends that, whenever feasible, complaints be resolved at the lowest possible administrative level.

### **Definition**

An individual employee's wages, hours, or conditions of work may be the subject of a complaint. The definition of complaint shall also include specific allegations of unlawful discrimination in employment on the basis of sex, including sexual harassment, race, religion, national origin, or handicap, or on the basis of the employee's exercise of constitutional rights. The complaint must establish the individual harm suffered. Complainants whose legal rights have been adversely affected such that they are entitled under the law to a due process hearing shall be offered a full hearing before the Board or its designee at level three, unless they are entitled to a due process hearing under another specific policy. If the Board uses a designee, the designee shall make a recommendation to the Board at the conclusion of the hearing and the employee shall be given an opportunity to respond to the recommendation either orally or in writing.

### **Freedom from Reprisals**

No reprisals or retaliation of any kind shall be taken at any level against an employee for bringing a complaint. Complaints shall not be referred to in an employee's personnel file unless so requested by the employee.

### **Representation**

The employee filing a complaint, or any employee who is the subject of a complaint, may be represented, at his or her own expense, by a fellow employee, attorney, person or an organization that does not claim the right to strike. The District may be assisted in processing complaints as it deems appropriate.

### **General Provisions**

The following shall be general provisions for processing complaints:

1. Complaints shall be heard in informal administrative conferences.
2. All time limits shall be strictly complied with, except if extended by mutual consent. time is of the essence.
3. If the employee is not satisfied within seven calendar days of a complaint conference, the complaint shall be considered denied. The employee may immediately proceed to the next level. The complaint shall be considered concluded if at any level it is not appealed within the given time limit.
4. Costs of any complaint shall be paid by the party incurring them.

5. All complaints arising out of an event or series of events must be addressed in one complaint. An employee is precluded from bringing separate or serial complaints arising from an event or series of event previously addressed.

#### **Level One**

Any employee having a complaint shall meet with the principal within fifteen calendar days of the time the employee first knew, or should have known, of the event or series of events causing the complaint.

#### **Level Two**

If the outcome of the complaint conference at Level One is not the employee's satisfaction, the employee may meet with the Superintendent to discuss the complaint within seven calendar days after the Level One conference. At, or prior to, the conference the employee shall submit a written description of the decision or action complained of, the date it occurred, the remedy sought, and the date the employee conferred with the principal.

#### **Open Forum**

The Board shall designate a portion of its regular monthly meeting as an open forum to hear comments from individuals not on the agenda, including employee complaints. The Board President may set reasonable time limits on complaint presentations. The board shall listen to the complaint(s). The Board President may direct the Superintendent to place the matter on a future agenda, if Board action is contemplated.

#### **Executive Session**

If the complaint involves complaints or charges about another employee, it will be heard in executive session unless that employee request it to be public.

## **TEXAS EDUCATOR'S CODE OF ETHICS**

### **Statement of Purpose**

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

### **Professional Standards**

#### **(1). Professional Ethical Conduct, Practices and Performance.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**(3) Ethical Conduct toward Students.**

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

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

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

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

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

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

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

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

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

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

**EMPLOYEE INVOLVEMENT**

**Policies BQA, BQA**

Higgins Independent School District 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 advisory committees. Plans and detailed information about the shared decision-making process are available in each office or from the Superintendent.

## **EMPLOYMENT**

### **Equal Employment Opportunity**

(Policies DAA, DIA)

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

Employees with questions or concerns relating to discrimination for any of the reasons listed above should contact Mike Lee and/or refer to the district's website for legal and local policies.

### **Employment after Retirement**

(Policy DC)

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

## **CONTRACT AND NONCONTRACT EMPLOYMENT**

(Policy DC)

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

### **Probationary Contracts**

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

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

### **Term Contracts**

Full time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and

conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract.

### **Noncertified Professional and Administrative Employees**

Employees in professional and administrative positions that do not require SBEC certification are not employed by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

### **Paraprofessional and Auxiliary Employees**

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

## **CERTIFICATION AND LICENSES**

(Policies DBA, DF)

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and or obtained or renewed their credentials to Mrs. Woods to be placed in personnel files in a timely manner. A certified employee's contract may be voided without due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact SBEC, a division of the Texas Education Agency at (512) 936-8400 if you have any questions regarding certification or licensure requirements.

## **SEARCHES AND ALCOHOL AND DRUG TESTING**

(Policies CQ, DHE)

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

## **EMPLOYEES REQUIRED TO HAVE A COMMERCIAL DRIVER'S LICENSE**

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



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

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirement, 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 Mike Lee, Higgins ISD Superintendent.

### **HEALTH SAFETY TRAINING**

(Policies DBA, DMA)

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

### **REASSIGNMENTS AND TRANSFERS**

(Policy DK)

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

### **WORKLOAD AND WORK SCHEDULES**

(Policies DEA, DEAB, DK, DL)

#### **Professional Employees**

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

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

### **Paraprofessional and Auxiliary Employees**

Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule with prior approval from their supervisor.

### **BREAKS FOR EXPRESSION OF BREAST MILK (Policies DEA, DEAB, DG)**

The District supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided. A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with the Principal to discuss their needs and arrange break times.

### **NOTIFICATION TO PARENTS REGARDING QUALIFICATIONS (Policies DK, DBA)**

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call SBEC, a division of the Texas Education Agency at (512)-936-8400.

### **OUTSIDE EMPLOYMENT AND TUTORING (Policy DBD)**

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

## **PERFORMANCE EVALUATION**

(Policy DN)

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with the Principal or Superintendent, and have the opportunity to respond to the evaluation. Higgins ISD is a District of Innovation. Evaluations are on a rotation plan (see DOI Plan).

## **STAFF DEVELOPMENT**

(Policy DMA)

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

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

## **EXIT INTERVIEWS AND PROCEDURES**

Exit interviews may be scheduled for employees leaving the District. Information on the continuation of benefits, release of information and procedures for requesting references will be provided at this time. Separating employees are asked to provide the District with a forwarding address and phone number and complete a questionnaire that provides the District with feedback on 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.

## **FACULTY DRESS**

There is a strong body of educational and business research that reflects improved job performance and student/customer response to attractiveness and professionalism of appearance. Student behavior, attitude and performance are not only affected by their attire, but by teacher dress and appearance as well. All employees are expected to dress conservatively with good professional taste for the instruction of young people.

## **ACADEMIC DISHONESTY/CHEATING/PLAGIARISM**

Academic dishonesty – as in cheating or plagiarism – is not acceptable. Cheating includes the copying of another student's work- such as homework, classwork, or test answers – as one's own. Plagiarism is the use of another person's original ideas or writing without giving credit to the true author. A student found to have engaged in academic dishonesty will be subject to

loss of credit for the work in question on tests, as well as disciplinary penalties, according to the Student Code of Conduct. The punishment for cheating on all other work will be at the discretion of the teacher.

### **HAZING**

Students must have prior approval from the principal 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 Principal or Superintendent.

### **HARASSMENT OF STUDENTS**

(Policies DH DHB, FFG, FFH)

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

### **HEALTH INSURANCE**

Group health insurance coverage is available to employees who are active TRS members. Detailed descriptions of insurance coverage, prices and eligibility requirements are provided to all employees. If you have any questions, please contact Mrs. Woods. The insurance plan year is from September 1 through August 31. New employees or employees with any changes must complete forms within the first 30 days of employment. Employees should contact Mrs. Woods for more information.

### **HOMEWORK**

Homework is important because it is a valuable aid reinforcing what has been learned in the class, preparing students for upcoming lessons, teaching responsibility and helping students develop positive study habits. Students are expected to do their best job on their homework and to be neat.

### **LESSON PLANS**

Lesson plans may be completed in a plan book; however, all lessons plans need to be done on Plan Book. Lesson plans need to be completed prior to Monday of each week.

## **MEDICATIONS**

Parents should advise proper school officials of specific medical conditions that students may have. This includes, but is not limited to, medication to be taken, types of illnesses and any other conditions that may be a health hazard to the student or others. Only the school nurse/school secretary or principal may administer medication to students. Medication must be in its original container with a prescription label stating the student's name, doctor's name and the directions of administration. There must be written permission for the administration of the medication to the student from the parent or legal guardian signed and dated with detailed instructions. When a child takes a medication all year long, one note to be kept on file for the year will be acceptable. Non-prescription medications are not provided to students without consent from the parent(s).

## **FIRST AID AND CPR CERTIFICATION**

Head coaches or chief sponsors of an extracurricular athletic activity that is sponsored or sanctioned by the district or 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 provided equipment equivalent training and certification.

## **MILITARY LEAVE**

### **Paid Leave for Military Service**

Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve 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 active military service.

### **Re-Employment after Military Leave**

Employees who leave the district to enter into the United States uniformed services or 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 reemployed 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 reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence honorable discharge or release, and submit an application for reemployment to Higgins ISD. Employees who perform service in the uniformed services may elect to continue their health pay coverage at their own cost for a period not to exceed 18 months. Employees should contact Mike Lee for details on eligibility, requirements, and limitations.

## **NAME and ADDRESS CHANGES**

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

### **NOTIFICATION OF PARENTS REGARDING QUALIFICATIONS**

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. In appropriately certified or uncertified teacher includes individuals serving with an emergency permit (including individuals waiting to take the EXCET exam) or individuals who do not hold any certificate or permit. No later than the 30<sup>th</sup> instructional day after the date of assignment the Superintendent, Principal, or designee will send a written notice to parent(s). 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 qualifications 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. Employees who have questions about their certification status can contact Mr. Lee, Superintendent or Mrs. Waite, Principal.

### **OUTSIDE EMPLOYMENT**

Employees who wish to accept outside employment must make sure there is no interruption of assigned duties or extra-curricular sponsorships. Teachers are not allowed to privately tutor their students for pay, except outside the regular day.

### **PAY DAY**

Employees will be paid on the 20<sup>th</sup> of each month unless pre-approved by the district. If the 20<sup>th</sup> falls on a weekend, employees will be paid the Friday before that weekend. If absence from duty forms are not fully completed, an absence deduction may be taken from your check.

### **PAYROLL DEDUCTIONS**

Automatic payroll deductions for the Texas Teacher Retirement System (TRS) and Federal income tax are required for all full-time employees who are not eligible for all employees hired after March 31, 1986. Temporary and part-time employees who are not eligible for TRS membership must have their Social Security contributions deducted. Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life and vision insurance, and annuities, the Texas Tomorrow Constitutional Trust Fund, higher education savings plans. Employees may also request payroll deductions for payment of membership dues to professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

### **PERFORMANCE EVALUATION**

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

### **PERSONAL LEAVE – COMPENSATION and BENEFITS**

Beginning with the 1995-96 school year all leave from the state will be considered personal leave. Previously accumulated leave will still fall under the limitations of the sick leave program. Professional employees wishing to use a personal leave day, for reasons not covered by the state sick leave program, must give the school at least two days prior notice and cannot take a personal day immediately before a school holiday.

### **PERSONNEL RECORDS**

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 or have the following information included in a staff directory by submitting a written request to Mrs. Woods:

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

### **PEST CONTROL TREATMENT**

Notices of planned pest control treatment will be posted in the District building 48 hours before the treatment begins. Notices are generally located in the Superintendent's office. Pest control information sheets are available from the Principal or facility manger upon request.

### **PROFESSIONAL ACKNOWLEDGEMENTS**

Teachers and staff shall sign the handbook form. This serves as acknowledgement that the sponsor, coach, director is familiar with the UIL rules for each contest that the teacher/staff member might sponsor.

### **PROGRESS REPORTS/NOTICES OF CONCERN**

Progress reports will be sent out in accordance with district policies.

### **REASSIGNMENTS AND TRANSFER TO ANOTHER ASSIGNMENT**

All personnel are subject to assignment and reassignment by the Superintendent. When reassignments are due to enrollment shifts or program changes, the Superintendent has final placement authority. Extracurricular or supplemental duty assignments may be reassigned at any time. Employees who object to a reassignment may follow the District process for employee complaints as outlined in this handbook and District policy DGBA. Employees with the required qualifications for a position may request a transfer to another grade level or department. A written request for transfer must be completed and signed by the employee. Request for change of assignment during the school year will be considered only when the change will not adversely affect students. All requests will be coordinated by the Superintendent's office.

## **REPORTING SUSPECTED CHILD ABUSE**

All employees are required by state law to immediately report any suspected child abuse or neglect to the Texas Department of Protective and Regulatory Services. Teachers and other professional staff are required to file a report within 48 hours of the event that led to the suspicion. 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. Employees who suspect that a student has been or may be abused or neglected should report their concerns to the Principal and/or Superintendent.

## **REPORTS TO THE COMMISSIONER**

The dismissal or resignation of a certified employee will be reported the Texas commissioner of Education if there is reasonable evidence that the employee's conduct involves the following:

- Any form of sexual or physical abuse of a minor or any other illegal conduct with a minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position
- Committing a crime on school property or at a school-sponsored event

## **REQUISITIONS – PURCHASE ORDER PROCEDURES**

Requisitions and purchase orders must be processed prior to any purchase. Coaches need to check with the Athletic Director on all purchases. All purchases must be accompanied by a purchase order before payment of merchandise will be made. In order to get bills paid on time, requisitions need to be submitted to the business office in a timely manner. All requests must have a purchase order number from Mrs. Woods, unless a credit card transaction has been approved by the Superintendent. All invoices must accompany a purchase order before payment of merchandise will be made. Procedures are listed below:

- Fill out order forms completely. Include date, company, merchandise and quantity
- Sign your name
- Give form to the business manager or athletic director
- Before ordering, the Superintendent and Mrs. Woods must approve the request. POs may be obtained through the administration office.

## **RESIGNATIONS**

### **Contract Employees**

Contract employees may resign their position without penalty at the end of any school year if written notice received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the immediate supervisor.

Contract employees may resign at any other time only with the approval of the Board of Trustees. Resignation without the consent of the Board may result in disciplinary action by the State Board of Educator Certification. The Superintendent will notify the Texas Commissioner of Education when an employee resigns and reasonable evidence exists to indicate that the employee has engage in any of the acts listed (see Reports to the **commissioner**).



### **Noncontract Employees**

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

### **SAFETY**

See Local Policy CK

### **SCHOLARSHIP COMMITTEE**

Mrs. Kristy Waite

Mrs. Jody Wiederstein

Mrs. Nancy Habekott

Mr. Nic Tarr

Mrs. Lacey Habekott

\*\*Other teachers as deemed necessary for certain scholarships.

## **SEXUAL HARASSMENT**

### **Employee to Employee**

Sexual harassment of a coworker is a form of discrimination and is prohibited by law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct under the following conditions:

- Submission to such conduct is 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 unreasonably interferes with an individual's work performance or creates an intimidating, hostile or otherwise offensive work environment. Employees who believe that they have subject to sexual harassment are encourage to come forward with complaints and should inform their Principal or Superintendent. Employees must follow the procedures outlined in this handbook for filing a complaint except when it would require presenting a complaint to the alleged harasses (see complaints and Grievances). The District will promptly investigate all allegations of sexual harassment and take appropriate disciplinary action.

### **Employee to Student**

Sexual harassment of students by employees is a form of discrimination and is prohibited by law. Sexual harassment of students includes any welcome or unwelcome sexual advances, request for sexual favors and other oral, written, physical, or visual conduct of a sexual nature. Romantic relationships between District employees and students are strictly prohibited. Other prohibited conduct includes 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 would 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.
- Use of telecommunication device for texting, social networking with inappropriate content or conversations.

Employees who suspect a student is being sexually harassed or abused by another employee are obligated to report their concerns to the Principal. 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 the Superintendent.

#### **SITE-BASED DECISION MAKING COMMITTEE**

The Higgins ISD has an active site-based decision making process. The Site-Based Planning Committee meetings are scheduled periodically throughout the year. Anyone wishing to put an item on the agenda should submit it to the committee chairman. If you would like to see the school's plan, it is available in the Superintendent's Office.

#### **STAFF DEVELOPMENT**

Staff development activities are organized to meet the needs of employees and the District. Staff development is predominately campus-based, related to achieving campus performance objective and developed and approved by District and campus- level advisory committees.

#### **STATE SICK LEAVE**

Leave accumulated prior to the 1995-96 school year is subject to state sick leave guidelines.

Sick leave is to be used only for:

- Illness of the employee
- Illness of a member of the employee's immediate family
- Family emergency
- Death in the employee's immediate family

For an illness of a member of the employee's immediate family for which the employee requests leave form more than three consecutive work days, a certification of the family member's illness shall be required from a doctor. Under no circumstance may sick leave be approved for more days than have been accumulated in prior years plus those that will be earned during the employment period in the current school year.

#### **SICK LEAVE POOL**

(See Policy)

Employee must see Mrs. Woods to sign up for the pool each year. All days not used will be returned to employees in August of the following year.

## **DISTRICT PERSONAL LEAVE**

Each full-time employee receives five district days and five state personal leave days. The district days do not rollover from year to year. State personal leave days do accumulate. Staff may not take a personal day the day before or the day after a scheduled vacation day. If staff elects to do so, it will be taken from their paycheck.

## **PERSONAL LEAVE**

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. State personal leave accumulates with limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

### **Nondiscretionary**

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

### **Discretionary**

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

### **Leave Pro-ration**

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

## **TEMPORARY DISABILITY**

### **Certified employees**

Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of mental or physical disability of a temporary nature. A full-time educator may request to be placed on temporary disability leave or be placed on leave. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

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 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 Superintendent would 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 have been employed by the district for at least 12 months, and have worked at least 1,250 hours in the 12 months immediately preceding the need for leave are eligible for family and medical leave. Eligible employees can take up to 12 weeks of unpaid leave each year between August and May 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 are 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 run concurrently with accrued sick and person leave, temporary disability leave and absences due to a work-related illness or injury. The district will designate the leave as family and medical leave, if applicable and notify the employee that accumulated leave will run concurrently. In some circumstance, 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:

- An employee is needed to care for a seriously ill spouse, child or parent
- An employee requires medical treatment for a serious illness
- An employee is seriously ill and unable to work
- 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 Superintendent 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 Superintendent for details on eligibility, requirements and limitations.

### **WORKERS' COMPENSATION INSURANCE**

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 circumstance of each case. All work-related accidents or injuries should be reported immediately to the Superintendent. Employees who are unable to work due to work-related injury will be notified of their rights and responsibilities under the Texas Labor Code.

### **WORKERS' COMPENSATION BENEFITS**

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

### **ASSAULT LEAVE**

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person 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 him or her sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

## **JURY DUTY**

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

## **STUDENT ACCIDENTS**

All injuries that occur to students at school are treated with soap and water as needed, ice as needed, and Band-Aids as needed. All other first aid is limited until a parent/guardian is present or contacted, or only done if necessary to prevent further injury. If the injury is beyond what can be taken care of with washing or with a Band-Aid, the student(s) should be sent to or taken to Mavonteine, "George" for further evaluation.

## **STUDENT ATTENDANCE POLICY**

Students are required to be in attendance 90% of the time. A student cannot be absent more than eighteen days for the year without the possibility of credit being lost.

An Attendance Review Committee will be appointed to hear cases and determine if "extenuating circumstances" may warrant the student being given an opportunity to make-up the time that has been missed or credit awarded. If it is found that all absences are justified (excused) the student may be required only to complete the work or time which was missed. The committee members will be exempt from any personal liability for any act or omission arising out of the duties performed as a member of this committee. The Attendance committee was formed to review attendance records of any students who missed more than the allowable number of days. The Attendance committee has the authority to revoke credit due to poor attendance. The committee may develop procedures for students to regain credit when the allowable number of days has been exceeded. The Committee should consider any absences that may have been unexcused before credit can be regained. The Committee must consider if the student has been before the Attendance Committee previously.

The Attendance Committee will be appointed at the beginning of the year. The decision of the committee can be appealed to the Superintendent. Alternative methods of earning credit **may** be:

- A student passes the test for mastery after making up the time that has been lost during lunch, after school, before school
- Attending summer school to fulfill lost class time requirements

The Principal is responsible for enforcing the policy. The decision of the Principal may be appealed directly to the Attendance Committee. The decision of the Attendance Committee may be appealed to the Superintendent. The Superintendent's decision may be appealed to the Board of Education. The Board's decision may be appealed to the Commissioner of Education, only on the grounds that the decision is arbitrary, capricious, or not supported by substantial evidence. It is the responsibility of the student, parent, or guardian to prove that extenuating circumstances were the cause of excessive absences. The Attendance Committee will determine what "extenuating circumstance" will mean. The school should be contacted on the day a student is absent. The first day the student returns to school after an absence, he/she needs to report to the office to receive a permit to enter class marking the absence as excused or unexcused. With an unexcused absence, the student will have a day for each day missed to submit the work that was missed. Field trips and school sponsored activities, extra-

curricular, will not be counted against the student. A student may have no more than 10 total extra-curricular absences in a year; however these absences may be reviewed by the DOI Committee and the extra-curricular absences over 10 may be waived by the committee.

### **STUDENT ATTENDANCE**

(Policy FEB)

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

#### **Student Illness**

Mavonteine Slavin serves as the school nurse at Higgins ISD. If a child has a temperature or is experiencing continue discomfort or pain, the parent or guardian will be called, if possible. Usually the child will be kept in the nurse's office until picked up. If the child is taken out of school, they must sign out in the office. Visits are documented by the school nurse. It is important for us to have every child's current emergency information card on file.

#### **Supplemental Insurance Benefits**

At their own expense, employees can enroll in supplemental insurance. Premiums for these programs can be paid by payroll deduction. Employees may contact Mrs. Woods for more information.

### **TEACHER ABSENCES**

If a teacher is going to be absent from school, he or she should notify Mrs. Allen or Mrs. Woods. Please leave detailed lesson plans, seating chart, and notes for your substitute teacher. Please have a back-up lesson plan for unexpected absences.

### **TEACHER ARRIVAL and DEPARTURE TIME**

The first bell rings at 8:00 a.m. and the last bell rings at 3:30 p.m. The standard workday should be considered 7:45 to 3:45.

### **TUTORIALS**

Teachers should work out an individual plan for students needing tutorials. If a student is failing a class, they should be in tutorials for that class. Teachers should notify parents of tutorial times.

### **TEACHER RETIREMENT**

All personnel employed on a regular basis for at least one-half time of the normal work schedule are members of the Texas Teacher Retirement System (TRS). Substitutes 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.

### **TEXTBOOKS**

All textbooks must be checked out through Mrs. Waite. Teachers must keep a list of textbook they have received and issued to students. Teachers should keep this list in their grade book or in another safe place. Have all students or teachers may want to do this for younger students, print their name in ink in the textbook and cover their textbooks. Textbooks are the property for the State of Texas. This school district is held responsible for each textbook it receives from the Agency.

### **TOBACCO USE**

Smoking or using tobacco products is prohibited by law on all district-owned property. This includes all buildings, playground areas, parking facilities and vehicles. 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 building.

### **TRAVEL EXPENSE REIMBURSEMENT**

Before any travel expenses are incurred by an employee, the Superintendent 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.

### **UNEMPLOYMENT COMPENSATION INSURANCE**

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 of reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Mrs. Woods.

### **PERSONAL USE OF ELECTRONIC MEDIA**

(Policy DH)

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail, web logs, wikis, electronic forums, video-sharing websites, editorial comments posted on the internet, and social network sites. Electronic media also includes all forms of telecommunication such as landline, cell phones, and web based applications.

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



page, and for web links on the employee's page. The employee is also responsible for maintain privacy wettings appropriate to the content.

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.

The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal ad private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:

- Confidentiality of student records (See Policy FL)
- Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law (See Policy DH EXHIBIT)
- Confidentiality of district records, including educator evaluations and private e-mail addresses (See Policy GBA)
- Copyright law (See Policy CY)
- Prohibition against harming others by knowingly making false statements about a colleague or the school system (See Policy DH EXHIVBIT)

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

## **USE OF ELECTRONIC MEDIA WITH STUDENTS**

(Policy DH)

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

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student(s). For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide

written consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

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

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

- Electronic media includes all forms of social media, such as text messaging, instate messaging, electronic mail, wikis, electronic forums, video-sharing websites, editorial comments posted on the Internet, and social network sites, etc. Electronic media also includes all forms of telecommunication such as land phones, cell phones, and web based applications.
- Communicate means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g. a posting on the employee's personal social network page or a blog) is not a communication; however, the employee may be subject to district regulations on personal electronic communications. See Personal Use of Electronic Media, above. Unsolicited contact from a student through electronic means is not a communication.
- Certified or licensed employee mean a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teacher, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who uses electronic media to communicate with students shall observe the following:

- The employee may use any form of electronic media except text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
- The employee shall include at least one of the student's parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message.
- The employee shall include his or her Principal as a recipient on each text message to the student so that the student and supervisor receive the same message.
- For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee's district email address.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities.

- The employee shall not communicate directly with any student between the hours of 10 p.m. and 6 a.m. An employee may, however, make public posts to a social network site, blog, or similar applications at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulation, and the Texas Educators' Code of Ethics including
- Compliance with Public Information Act and Family Educational Rights and Privacy Act (FERPA) including retention and confidentiality of student records (See Policies CPC and FL).
- Copyright law (Policy CY)
- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student (See Policy DHB).
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee used to communicate with one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.

An employee may request an exception from one or more of the limitations above by submitting a written request to the Superintendent.

HIGGINS INDEPENDENT SCHOOL DISTRICT

406 N. Main

P.O. Box 218

806-852-2171

Superintendent – Michael Lee

Principal – Kristy Waite

**ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK FOR  
2018-2019 SCHOOL YEAR**

My signature and the witness below only acknowledges receipt of the Employee Handbook and does not mean I am in agreement with all its contents.

It does acknowledge that I am aware that disagreement with policies and guidelines does not allow for non-compliance with policies, procedures and guidelines of Higgins ISD.

EMPLOYEE NAME (please print): \_\_\_\_\_

EMPLOYEE SIGNATURE: \_\_\_\_\_

Employee Witness of Signature: \_\_\_\_\_

Date of signatures: \_\_\_\_\_

