

# **2011–2012 Employee Handbook**

**Alamo Heights Independent School District**



Live Honorably • Act Humbly • Model Dignity

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# Introduction

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The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to *Dr. Dick Smith*, Director of Human Resources and Communications, [dsmith@ahisd.net](mailto:dsmith@ahisd.net), 832-5955.

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office.

District policies can be accessed on line at our district homepage at [www.ahisd.net](http://www.ahisd.net).

- On our district home page, at the blue ribbon, click on *SCHOOL BOARD*.
- At the Board of Trustees landing page, on the left hand side bar *IN THIS SECTION* listing, click on *BOARD POLICY* which launches Alamo Heights ISD Policy On-line.
- To locate a specific board policy, enter search words identifying the policy or the alphabetical designation code.

# District Information

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## Description of the District

The Alamo Heights Independent School District traces its history from the year 1909 when the first school, a two-room wooden frame building on Townsend Avenue, was built in this picturesque area as part of a rural county district. A new school building of masonry was later constructed on the site that is now Cambridge Elementary School. In 1923, just one year after the high school building was added to the growing campus, the Alamo Heights system became an independent school district of 300 students.

While the hub of activity for Alamo Heights students centered at Cambridge until the 1950s, the district branched out into the neighboring community at the former cement plant near Jones-Maltsberger Road, also called “Cementville.” Known as the “Bluebonnet School,” the Alamo Heights Ward School served children whose parents worked at the plant.

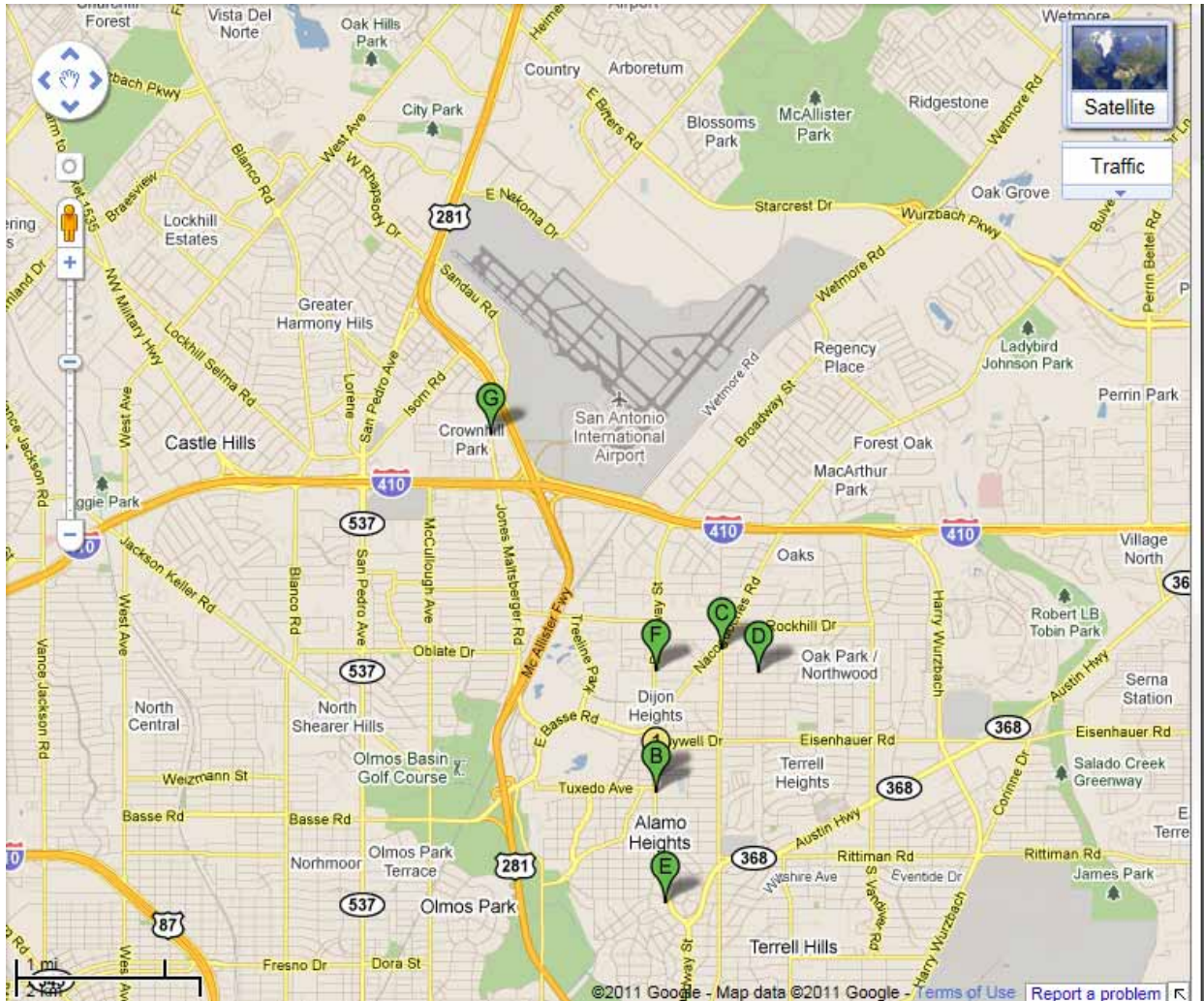
The present athletic stadium was built in 1938 by the Work Projects Administration. Originally, games were played at Howard Field on the present Cambridge Elementary site, where former head coach Earl “Mule” Frazier led the football team to a first district championship in 1926—and lent Alamo Heights ISD its mascot.

World War II was responsible for a very real transition for Alamo Heights from a rural district to a suburban district, accompanied by the baby boom and opening of numerous subdivisions within district boundaries. In fact, the district almost doubled during that time.

To continue to meet the needs of a growing population, the district erected Alamo Heights High School in 1949-1950, the original unit of Woodridge Elementary in 1951-1952, Howard Early Childhood Center in 1956, Alamo Heights Junior School in 1959, and the former Robbins Elementary in 1964.

Today, the Alamo Heights Independent School District covers 9.4 miles and serves students from the communities of Alamo Heights, Terrell Hills, Olmos Park, and a portion of north San Antonio.

## District Map



### Legend:

- A Central Office, 7101 Broadway, San Antonio, TX 78209
- B Alamo Heights High School, 6900 Broadway, San Antonio, TX 78209
- C Alamo Heights Junior School, 7607 N. New Braunfels, San Antonio, TX 78209
- D Woodridge Elementary School, 100 Woodridge, San Antonio, TX 78209
- E Cambridge Elementary School, 1001 Townsend Avenue, San Antonio, TX 78209
- F Howard Early Childhood Center, 7800 Broadway, San Antonio, TX 78209
- G Educational Development Center/Robbins Academy, 705 Trafalgar, San Antonio, TX 78209

## Mission Statement, Goals, and Objectives

*Policy AE*

### **Mission Statement**

*The Alamo Heights Independent School District,  
the heart of our community whose passion is  
excellence, will educate and empower every student  
to excel academically and as a confident, compassionate  
citizen with impeccable character and a global perspective  
through engaging, personally challenging, and relevant  
experiences that inspire learning for life.*

### **Parameters**

- We will base all decisions on what is best for our students.
- We will not confine our thinking to the limits of our existing organization.
- We will not accept mediocrity in students or staff.
- We will treat all people with dignity and respect.
- We will not compromise excellence.

### **Motto**

Live Honorably • Act Humbly • Model Dignity

### **Our Code of Conduct**

We understand that how we act, what we say and what we display reflect our character and the values of the Alamo Heights community. We will show integrity in all of these areas.

### **Strategic Plan**

STRATEGY 1: We will demand all learning be engaging, personally challenging, and relevant.

STRATEGY 2: We will aggressively confront the social and emotional issues of our community.

STRATEGY 3: We will close the achievement gap.

STRATEGY 4: We will create an environment where impeccable character is modeled by and expected of each individual.

STRATEGY 5: We will ensure a high-performing faculty and staff to accomplish our mission.

STRATEGY 6: We will create a culture of participation that ensures equitable access to academic and extra-curricular activities.

For detailed information, please review the Strategic Plan document located at [http://www.ahisd.net/pdf/Strategic\\_Plan\\_Brochure\\_Final1.pdf](http://www.ahisd.net/pdf/Strategic_Plan_Brochure_Final1.pdf)

## Board of Trustees

*Policies BA, BB series, BD series, and BE series*

Texas law grants the board of trustees the power to govern and oversee the management of the district's schools. The board is the policy-making body within the district and has overall responsibility for the curriculum, school taxes, annual budget, employment of the superintendent and other professional staff, and facilities. The board has complete and final control over school matters within limits established by state and federal laws and regulations.

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

Current board members include:

*Lynn S. Thompson, President*

*Mike Morell, Vice President*

*Melissa Vaughan, Secretary*

*Lott McIlhenny, Assistant Secretary*

*Randall Pollock, Trustee*

*Suzanne C. Goudge, Trustee*

*Joseph Dubrof, Trustee*

The board usually meets monthly at 7:00 p.m. in the central office Board Room located at 7101 Broadway, San Antonio, Texas 78209. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district Web site and in the glass display case at the main entrance to central office at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session from which the public and others are excluded. Closed session may occur for such things as discussing prospective gifts or donations, real-property acquisition, certain

personnel matters including employee complaints, security matters, student discipline, or consulting with attorneys regarding pending litigation.

## Board Meeting Schedule for 2011–2012

<u>Goals and Priorities Meetings</u>	<u>Regular Board Meetings</u>
7:00 a.m.	7:00 p.m.
Wednesday, August 17, 2011	Thursday, August 25, 2011
Wednesday, September 7, 2011	Thursday, September 15, 2011
Wednesday, October 12, 2011	Thursday, October 20, 2011
Wednesday, November 9, 2011	Thursday, November 17, 2011
Wednesday, December 7, 2011	Thursday, December 15, 2011
Wednesday, January 11, 2012	Thursday, January 19, 2012
Wednesday, February 8, 2012	Thursday, February 16, 2012
Wednesday, March 7, 2012	Thursday, March 22, 2012
Wednesday, April 11, 2012	Thursday, April 19, 2012
Wednesday, May 9, 2012	Thursday, May 17, 2012
Wednesday, June 20, 2012	Thursday, June 28, 2012

## Administration

Superintendent, Dr. Kevin Brown, 832-5953  
Assistant Superintendent for Elementary Education, *Dr. Dana Bashara*, 832-5951  
Assistant Superintendent for Secondary Education, *Dr. Frank Alfaro*, 832-5954  
Assistant Superintendent for Business and Finance, *Mike Hagar*, 822-3374  
Director of Human Resources and Communications, *Dr. Dick Smith*, 832-5955  
Director of Special Education and Student Services, *Kris Holliday*, 824-7305  
Director of Instructional and Information Technology, *Jennifer Faulkner*, 832-5780  
Director of Athletics, *Gene Phillips*, 832-5717

## School Calendar

### Reporting Periods (Nine Weeks)

First August 22, 2011 – October 21, 2011  
Second October 24, 2011 – January 13, 2012  
Third January 17, 2012 – March 23, 2012  
Fourth March 26, 2012 – May 21, 2012

### **Staff Development Days**

August 15, 16, 17, 2011

October 10, 2011

February 20, 2012

### **Teacher Trade Days**

November 21 – 22, 2011

### **Teacher Work Days**

August 18 – 19, 2011

June 1, 2012

### **High School / Junior School Semester Exams**

December 13 – 16, 2011

May 25 – 31, 2012

### **Holidays**

July 4, 2011

Independence Day

September 5, 2011

Labor Day

November 21 – 25, 2011

Thanksgiving Break

December 19 – 30, 2011

Winter Break

January 16, 2012

Martin Luther King Birthday

March 12 – 16, 2012

Spring Break

April 6, 2012

Good Friday

April 27, 2012

Battle of Flowers

May 28, 2012

Memorial Day

### **Graduation**

May 31, 2012

### **Inclement Weather (Make-up) Days**

February 20, 2012

May 28, 2012

June 1, 2012



**Howard Early Childhood Center** (Pre K and Kindergarten)

7800 Broadway  
San Antonio, Texas 78209  
832-5900  
*Daniel Bolen*, Principal

**Cambridge Elementary School** (Grades 1-5)

1001 Townsend Avenue  
San Antonio, Texas 78209  
822-3611  
*David MacRoberts*, Principal  
*Jennifer Flores*, Assistant Principal

**Woodridge Elementary School** (Grades 1-5)

100 Woodridge  
San Antonio, Texas 78209  
826-8021  
*Dr. Cordell Jones*, Principal  
*Sylvia Rodriguez*, Assistant Principal

**Alamo Heights Junior School** (Grades 6-8)

7607 N. New Braunfels  
San Antonio, Texas 78209  
824-3231  
*Stephanie Kershner*, Principal  
*Lizzy Perez*, Assistant Principal  
*Max Flores*, Assistant Principal

**Alamo Heights High School** (Grades 9-12)

6900 Broadway  
San Antonio, Texas 78209  
820-8850  
*Dr. Linda Foster*, Principal  
*Frank Padilla III*, Assistant Principal  
*Terri Duncan*, Assistant Principal  
*Norm Collins*, Assistant Principal

# Employment

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## Equal Employment Opportunity

*Policies DAA, DIA*

Alamo Heights ISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, 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 about discrimination based on sex, including sexual harassment should contact *Dr. Dick Smith*, Director of Human Resources and Communications, 7101 Broadway, San Antonio, TX 78209, the district Title IX coordinator. Employees with questions or concerns about discrimination on the basis of a disability should contact *Kris Holliday*, Director of Special Education and Student Services, 705 Trafalgar, San Antonio, Texas 78216, the district ADA/Section 504 coordinator. Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

## Job Vacancy Announcements

*Policy DC*

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

## Employment After Retirement

*Policy DC*

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in limited 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 Web Site ([www.trs.state.tx.us](http://www.trs.state.tx.us)).

## Contract and Noncontract Employment

### *Policy DC series*

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

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

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

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

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

## Certification and Licenses

### *Policy DBA*

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 *Dr. Dick Smith*, Director of Human Resources and Communications, 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 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 *Dr. Dick Smith*, Director of Human Resources and Communications, if you have any questions regarding certification or licensure requirements.

## Searches and Alcohol and Drug Testing

### *Policy DHE*

Noninvestigatory searches in the workplace including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the district reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, and work areas including district-owned 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. Teachers, coaches, or other employees who primarily perform duties other than driving are subject to testing requirements if their duties include driving a commercial motor vehicle.

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

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

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact *Dr. Dick Smith*, Director of Human Resources and Communications at 832-5955.

## 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), 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 *Gene Phillips*, Director of Athletics for coaches, or *Paul Crockett*, Director of Bands for fine arts sponsors, or *Kris Holliday*, Director of Special Education and Students Services for Special Education teachers and paraprofessionals by the first day of instruction. The respective directors maintain the records of training and requirement for renewal.

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

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

## Workload and Work Schedules

*Policies DEA, DL*

**Professional Employees.** Professional employees and academic administrators are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work

schedule for teachers and all school holidays. Notice of work schedules including start and end dates and scheduled holidays will be distributed each school year.

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

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

## Notification to Parents Regarding Qualifications

*Policies DK, DBA*

In schools receiving Title I funds, the district is 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.

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notification under NCLB is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call the Human Resources department at 832-5955.

## Outside Employment and Tutoring

*Policy DBD*

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

## Performance Evaluation

### *Policy DN series*

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

**Teacher Appraisal Process.** Beginning with the 1997-1998 school year, teachers have been evaluated using the locally-developed appraisal system in addition to the Professional Development and Appraisal System (PDAS) instrument. The 1996-1997 Education Improvement Council developed this system following the guidelines outlined in Texas Education Code § 21.253.

**Assessment of Teacher Performance.** The teacher competencies used in the Alamo Heights teacher appraisal process consist of evaluation criteria from two sources: the local performance appraisal document and the PDAS framework developed by the Texas Education Agency. **Each teacher is appraised on both sets of criteria as described below.**

**Local Performance Appraisal.** The Alamo Heights Local Performance Appraisal instrument is used to evaluate the overall performance of a teacher and is used as the summative appraisal. The Alamo Heights Local Performance Appraisal indicators are listed below:

- Indicator I. Quality of Instruction.
- Indicator II. Discipline Management and Student Rapport.
- Indicator III. Improvement of Academic Performance of all Students on the Campus.
- Indicator IV. Professional Communication.
- Indicator V. Professional Development and Contributions.
- Indicator VI. Professional Ethics.
- Indicator VII. Compliance with Policies and Procedures.

Each indicator of the local performance appraisal is scored independently. The evaluation of each of the indicators considers all data generated in the appraisal process. The data for the appraisal is gathered from observations and other documented sources. The data describes teacher contributions in increasing student achievement, making the whole school safe and orderly, and creating a stimulating environment for students.

The local performance indicators are evaluated as: (1) entirely satisfactory, or (2) below expectations.

**Professional Development and Appraisal System (PDAS).** The PDAS instrument is used to assess classroom observations.

The domains of the PDAS are listed below.

- Domain I Active, successful student participation in the learning process
- Domain II. Learner-centered instruction
- Domain III. Evaluation and feedback on student progress
- Domain IV. Management of student discipline, instructional strategies, time and materials
- Domain V. Professional communication
- Domain VI. Professional development
- Domain VII. Compliance with policies, operating procedures, and requirements
- Domain VIII. Improvement of academic performance of all students on the campus based on the indicators included in the Academic Excellence Indicator System (AEIS)

Each domain of the PDAS is scored independently. The evaluation of each of the domains considers all data generated in the appraisal process. The data for the appraisal of each domain is gathered from observations and other documented sources. The data describes teacher contributions in increasing student achievement, making the whole school safe and orderly, and creating a stimulating environment for students.

The domains are evaluated using the following categories: (1) exceeds expectations, (2) proficient, (3) below expectations, and (4) unsatisfactory.

The teacher evaluation in Domain VIII includes the following areas: (1) efforts to enhance academic performance, (2) efforts to enhance student attendance, (3) efforts to identify and assist students in at-risk situations, and (4) campus performance rating.

**Appraisals, Data Sources, and Conferences.** Each teacher is appraised each school year. The annual teacher appraisal includes:

- At least one classroom observation of a minimum of 45 minutes using the PDAS instrument. Additional walkthroughs and observations may be conducted at the discretion of the appraiser. Teachers who have been employed in Alamo Heights for a minimum of

two years may qualify for an exception to the annual observation using PDAS. Refer to the waiver section for specific criteria.

- A written summary of each observation, which shall be given to teachers within 10 working days after the completion of an observation, with a pre- and post-observation conference conducted at the request of the teacher or appraiser.
- A cumulative data of written documentation collected regarding job-related teacher performance, in addition to formal classroom observations.
- The Alamo Heights Local Performance Appraisal Record, as a preliminary document, which is presented to the appraiser at least one week prior to the annual summative conference.
- An annual summative conference.
- A final written summative annual appraisal report using the Alamo Heights Local Performance Appraisal form.

PDAS observations of teachers shall be scheduled within a pre-arranged two-week window.

**Appraisal Calendar.** The District publishes a calendar for the appraisal of teachers each year. The appraisal period for each teacher includes all of the days of a teacher's contract. Observations during the appraisal period must be conducted during the required days of instruction for students during one school year. The appraisal period:

- Excludes observations during the first two weeks of instruction;
- Prohibits observations on the last day of instruction, before any official school holiday, on the last 15 instructional days of the year, or on any other day deemed inappropriate by the school district board of trustees; and
- Indicates a period for summative annual conferences which ends no later than 10 working days before the last day of instruction for students.

Observations of teachers who are not on continuing or term contracts shall, in most cases, be completed no later than the end of the first semester of the school year. This includes both probationary and part-time teachers.

During the appraisal period the appraiser evaluates and documents teacher performance specifically related to the criteria as identified in PDAS, the Alamo Heights Local Performance Appraisal, and the job description for teachers. The appraiser is responsible for documentation of the cumulative data. Any third-party information, from a source other than the teacher's supervisor, that the appraiser wishes to include as cumulative data, must be verified and documented by the appraiser. **Any documentation that will influence the teacher's summative annual appraisal report must be shared in writing with the teacher within ten working days of the appraiser's knowledge of the occurrence.** When the appraiser is not the teacher's principal, the principal shall also be notified in writing of the information.

By mutual consent of the teacher and the appraiser, the required minimum of 45 minutes of observation may be conducted in shorter time segments. The time segments must aggregate to at least 45 minutes.

Unless waived in writing by the teacher, a summative conference needs to be held within a time frame specified on the school district calendar and no later than 10 working days before the last day of instruction for students. The summative conference focuses on the written summative report and related data sources. The appraiser compares the completed evaluation with that submitted by the teacher. In areas where consensus cannot be reached, the evaluation of the appraiser shall be the report of record.

A final written annual summative report needs to be shared with the teacher no later than the last day of instruction for students. The written annual summative report is placed in the teacher's archived *Eduphoria* file at the end of the appraisal period.

In cases where the appraiser is not an administrator on the teacher's campus, either the principal, assistant principal, or another supervisory staff member designated as an administrator on the campus will participate in the annual summative conference.

Any documentation collected after the summative conference, but before the end of the contract term during one school year, may be considered as part of the appraisal of a teacher. If the documentation affects the teacher's evaluation in any domain, another summative report can be developed, and another summative conference can be held to inform the teacher of the change(s).

**Qualification for Waiver of the Formal Observation.** To be placed on a three year cycle for observations, a teacher:

- Must have been employed in Alamo Heights two years;
- Must be on continuing contract or term contract;
- Must have a doctorate, masters, 12 graduate hours in the teaching field, or have accumulated approved workshops equivalent to 180 clock hours;
- Must earn at least a proficient rating in all eight domains; and
- Must earn exceeds expectations in four of the eight domains, two of which must be in Domains I-IV.

The teacher's supervisor may elect to conduct formal observations, informal observations, and walkthroughs of teachers who qualify for the three-year waiver.

**Teacher in Need of Assistance.** A teacher whose performance meets any one of the following circumstances will be designated as a "teacher in need of assistance."

- A teacher who is evaluated as unsatisfactory in one or more domains of PDAS;
- A teacher who is evaluated as below expectations in two or more domains of PDAS; or
- A teacher who is evaluated as below expectations on two or more indicators of the Alamo Heights Local Performance Appraisal Report.

When a teacher is designated as a teacher in need of assistance, the appraiser and/or the teacher's supervisor, in consultation with the teacher, develop an intervention plan that includes the following: (1) domains/indicators that designate a teacher as a teacher in need of assistance; (2) directives or recommendations for professional improvement; (3) evidence demonstrating

successful completion of professional improvement; (4) directives for changes in teacher behavior; (5) evidence that shows a change in teacher behavior; and (6) a specific time line for successful completion of the intervention plan. The intervention plan shall include options for professional development designed to enhance teacher proficiency. At least one option shall not place significant financial burden on either the teacher or the school district. A teacher who has not met all requirements of the intervention plan for a “teacher in need of assistance” by the time specified may be considered for a proposed termination from the assignment, campus, and/or district.

**An intervention plan may be developed at any time at the discretion of the appraiser when the appraiser has documentation that would potentially produce an evaluation rating of “below expectations” or “unsatisfactory.”** In cases when the teacher’s appraiser is not the teacher’s principal, the principal is involved in the development and evaluation of the intervention plan.

**Teacher Response and Appeal Process.** A teacher may submit a written response or rebuttal to the appraiser and the campus principal at the following times:

- After receiving a written observation summary, or any other written documentation associated with the teacher’s appraisal; and/or
- After receiving a written annual summative report.

Any written response or rebuttal must be submitted within 10 working days of receiving a written observation summary, a written annual summative report, or any other written documentation associated with the teacher’s appraisal. At the discretion of the appraiser, the time period may be extended to 15 working days.

**Request for Second Observation.** A teacher may request a second observation by another appraiser after receiving a written observation summary with which the teacher disagrees. The second observation must be requested within 10 working days of receiving a written observation summary. At the discretion of the appraiser, the time period may be extended to 15 working days. This request should be submitted in writing to the appraiser and the campus principal.

Upon receipt of a request for second observation, the campus principal forwards the request to the Director of Human Resources and Communications. The Director of Human Resources and Communications will be the second appraiser or designate the person to serve in this capacity. The second appraiser will not be assigned to the same campus as the person requesting the second appraisal.

A teacher may be given advance notice of the date or time of a second observation, but **advance notice is not required.**

The second appraiser will appraise the teacher in all domains. The second appraiser shall make observations and walk-throughs as necessary to evaluate Domains I through V. The second appraiser shall use the cumulative data from the first appraisal to evaluate Domains VI through VIII. Cumulative data may also be used by the second appraiser to evaluate other domains.

Domain scores for the PDAS Summative Annual Appraisal Report will be calculated by averaging the scores of both appraisers.

A teacher may file a grievance according to guidelines found in Policy DGBA.

**Appraiser Qualifications.** The teacher-appraisal process requires at least one appraiser. The teacher's principal or assistant principal conducts the teacher's appraisal and must hold a superintendent, mid-management (principal), or supervisor certification, or must hold comparable certificates established by the State Board for Educator Certification. An appraiser, other than the teacher's supervisor, must be approved by the Board of Trustees and hold a valid teaching certificate.

An appraiser who is a classroom teacher may not appraise the performance of another classroom teacher who teaches at the same school campus at which the appraiser teaches. Before conducting an appraisal, an appraiser must be certified by having satisfactorily completed uniform appraiser training, including required Instructional Leadership Training (ILT), with a trainer and curriculum approved by the Commissioner of Education.

**Teacher Orientation.** The district will schedule all teachers new to the profession or teachers that have not received a PDAS orientation for a district orientation covering the Alamo Heights Appraisal System. The orientation will occur at least three weeks before the first observation. Additional orientations may be provided when any substantial changes to the program occur. The teachers' orientation materials include appraisal policies, the local appraisal calendar, and information on the requirements for the completion of the Alamo Heights Local Performance Appraisal Report.

Name \_\_\_\_\_ Campus \_\_\_\_\_

**Alamo Heights Independent School District**  
**LOCAL PERFORMANCE APPRAISAL RECORD**

Part I

	Indicator	Entirely Satisfactory	Below Expectations	Comments Regarding Below Expectations
I.	Quality of Instruction			
II.	Discipline Management and Student Rapport			
III.	Improvement of Academic Performance of All Students on the Campus			
IV.	Professional Communication			
V.	Professional Development and Contributions			
VI.	Professional Ethics			
VII.	Compliance with Policies and Procedures			

Part II---Describe the area(s) in which you believe you have enhanced learning opportunities for students during the school year.

Part III---List the area(s) for continued professional development for the next school year.

PDAS WAIVER QUALIFICATIONS:		
<ul style="list-style-type: none"> <li>• Proficient in all domains</li> <li>• <b>EE</b> in four of eight, two of which must be in I-IV</li> </ul>	<b>EE</b>	<b>7</b>
I		
II		
III		
IV		
V		
VI		
VII		
VIII		

\_\_\_\_\_  
Signature of Appraiser Date

My appraiser and I have discussed this Annual summative appraisal.

\_\_\_\_\_  
Signature of Teacher Date

**Descriptors for the Local Performance Appraisal Indicators.** The seven indicators, and sample descriptors for each, follow. It is not intended that the lists be exhaustive, merely illustrative.

## I. QUALITY OF INSTRUCTION

The teacher:

- Demonstrates knowledge, understanding, and skill in subject matter.
- Plans instruction in accordance with course scope and sequence.
- Plans and organizes lessons that maximize student participation in the learning process.
- Effectively communicates content and concepts to all students using appropriate questioning and inquiry techniques.
- Adapts materials, methods, and learning strategies to the interests, needs, and abilities of group and individual students.
- Holds high expectations for performance and achievement of all students.
- Encourages students to assume independent responsibility for learning.
- Keeps students on task for a maximum amount of time, minimizing disruptions, delays, and transitions.
- Uses clear instructional cues about the purposes of a lesson, how it connects to prior learning, other disciplines, work, and life.
- Diagnoses student skill levels, assigns tasks of appropriate difficulty, provides clear and immediate feedback, and evaluates progress.
- Monitors student attention and comprehension rates and paces instruction accordingly.
- Creates classroom climate which fosters student success, critical thinking, and problem solving.
- Organizes daily routine to allow maximum time for direct teaching endeavors.
- Provides for the physical safety and comfort of students.
- Selects materials which are appropriate to the level of the learner.
- Uses the full range of resources available including technology.
- Creatively matches materials to learning objectives.
- Manages time and materials effectively and efficiently.
- Protects school property.
- Encourages student use of available facilities and resources.

## II. DISCIPLINE MANAGEMENT AND STUDENT RAPPORT

The teacher:

- Reflects a sense of the dignity and worth of each individual student.
- Respects and maintains students' confidences.
- Establishes a classroom environment which promotes and encourages self-discipline and self-directed learning.

- Interacts with students in an equitable manner, implementing the discipline management plan approved by the campus.
- Specifies expectations for student behavior, modeling and reinforcing desirable behavior.

### **III. IMPROVEMENT OF ACADEMIC PERFORMANCE OF ALL STUDENTS ON THE CAMPUS**

The teacher:

- Works with colleagues to align instruction to include appropriate TAKS-related objectives to support student achievement in all assigned classes.
- Works with colleagues to analyze performance data relevant to all students in assigned classes.
- Coordinates with others within and outside the teacher's discipline to determine the appropriate sequencing of classroom instruction.
- Collaborates with others within and outside the teacher's discipline to select/adapt instructional materials and activities, which are correlated with appropriate TAKS-related objectives.
- Consistently provides feedback to all students regarding their learning progress.
- Consistently monitors attendance of all students in assigned classes and contacts parents, counselors, and other school officials regarding an intervention plan for students with serious attendance problems.
- Works with teachers, counselors, and other school professionals to seek information to identify and assess the needs of all students in assigned classes.
- Communicates with parents and/or other teachers of students who are failing or in danger of failing to develop and appropriate plan for intervention.
- Participates in and/or contributes to campus-wide programs to modify and adapt classroom materials and/or instruction for at-risk students.

### **IV. PROFESSIONAL COMMUNICATION**

The teacher:

- Develops relationships with co-workers, parents and students which are supportive, courteous, and respectful.
- Supports school-related activities and organizations.
- Promotes a positive relationship between the school and community.
- Communicates appropriately verbally and non-verbally with parents and students regarding student performance.
- Provides a cordial atmosphere in the classroom and school for parents and community visitors.

## V. PROFESSIONAL DEVELOPMENT AND CONTRIBUTIONS

### The teacher:

- Determines and participates in professional development goals and activities that are aligned with the adopted goals of the campus and the goals of the district.
- Correlates professional development activities with assigned subject content and the varied needs of students.
- Exhibits a willingness to collaborate with colleagues and other professionals for continuous growth and development.
- Correlates professional development activities with prior performance appraisal.

## VI. PROFESSIONAL ETHICS

### The teacher:

- Is loyal to the goals of the district and campus.
- Adheres to the Employees Standards of Conduct in Board Policy.
- Acts in a supportive, courteous, respectful manner with all students, staff, and community members.
- Treats confidential matters in a trustworthy manner.
- Accounts properly for all funds handled.
- Exercises professional judgment in all areas, including requesting absences from work, using personal leave, and choosing professional development opportunities.

## VII. COMPLIANCE OF POLICIES AND PROCEDURES

### The teacher:

- Demonstrates understanding and acceptance of established policies and directives.
- Evaluates student's progress with appropriate frequency to provide students with accurate appraisal of their performance.
- Performs all school responsibilities/written communication in an accurate and timely manner.
- Communicates students' progress to parents on a regular basis.
- When a significant change is noted in student behavior and/or academic progress, takes appropriate action.

## Employee Involvement

*Policies BQA, BQB*

At both the campus and district levels, Alamo Heights ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the district. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus front office or from *Dr. Dana Bashara*, Assistant Superintendent for Elementary Education or *Dr. Frank Alfaro*, Assistant Superintendent for Secondary Education.

## Staff Development

*Policy DMA*

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

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

**Professional Employees.** The district's calendar includes seven professional development days each school year. Two of these days are designated as "Trade Days."

**Trade Days.** Trade Days support the district's strategic plan with instructional strategies to enhance student engagement as its foundation. Typically, this additional training requirement responds to district or campus goals to improve student achievement. The Monday and Tuesday of Thanksgiving week are designated Trade Days. Professional and certified employees earn 12 hours of targeted professional development to compensate for these two paid non-work days. Professional development in support of Trade Days must occur on non-contract time (during the summer, on weekends, after the official end of the school day, or as otherwise defined by the district or campus administrator). Trade Days professional development must be pre-approved by the principal to qualify for Trade Days credit.

District coaches and extra-curricular sponsors may earn no more than one Trade Day credit (six hours) annually relating to their extracurricular duties. University coursework taken for degree or certification purposes cannot be submitted for Trade Day credit. Also, if an employee receives a stipend for attending a professional development activity, credit toward the Trade Day requirement cannot be awarded.

A professional or certified employee who does not complete Trade Day credit prior to the designated Trade Day will forfeit up to two days of pay and may receive an unsatisfactory rating on the Professional Development category of the PDAS or other Administrative evaluation.

# Compensation and Benefits

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## Salaries, Wages, and Stipends

*Policies DEA, DEAA*

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as non-exempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 34.)

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

Employees should contact the Human Resources office for more information about the district's pay schedules or their own pay.

## Annualized Compensation

*Policy DEA*

The district pays all salaried employees over 12 months regardless of the number of months employed during the school year. Salaried employees will be paid in equal monthly or bimonthly payments, beginning with the first pay period of the school year. Employees that separate after the last day of instruction will continue to receive paychecks through the end of the summer.

## Paychecks

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

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

The schedule of pay dates for the 2011-2012 school year follows:

<b>MONTHLY PAYROLL SCHEDULE</b>			
Pay Period		Pay Date	Transaction Cut-Off Date
Beginning Date	Ending Date		
September 1, 2011	September 30, 2011	<b>September 20, 2011</b>	September 9, 2011
October 1, 2011	October 31, 2011	<b>October 20, 2011</b>	October 7, 2011
November 1, 2011	November 30, 2011	<b>November 18, 2011</b>	November 7, 2011
December 1, 2011	December 31, 2011	<b>December 16, 2011</b>	December 5, 2011
January 1, 2012	January 31, 2012	<b>January 20, 2012</b>	January 9, 2012
February 1, 2012	February 29, 2012	<b>February 17, 2012</b>	February 6, 2012
March 1, 2012	March 31, 2012	<b>March 20, 2012</b>	March 2, 2012
April 1, 2012	April 30, 2012	<b>April 20, 2012</b>	April 9, 2012
May 1, 2012	May 31, 2012	<b>May 18, 2012</b>	May 7, 2012
June 1, 2012	June 30, 2012	<b>June 20, 2012</b>	June 8, 2012
July 1, 2012	July 31, 2012	<b>July 20, 2012</b>	July 6, 2012
August 1, 2012	August 31, 2012	<b>August 20, 2012</b>	August 10, 2012
NOTE: Substitutes are paid one month in arrears (for example, for work accomplished in August, the pay date is September).			

<b>BI-WEEKLY PAYROLL SCHEDULE</b>			
Pay Period		Pay Date	Transaction Cut-Off Date
Beginning Date	Ending Date		
August 15, 2011	August 28, 2011	<b>September 1, 2011</b>	August 29, 2011
August 29, 2011	September 11, 2011	<b>September 15, 2011</b>	September 12, 2011
September 12, 2011	September 25, 2011	<b>September 29, 2011</b>	September 26, 2011
September 26, 2011	October 9, 2011	<b>October 13, 2011</b>	October 10, 2011
October 10, 2011	October 23, 2011	<b>October 27, 2011</b>	October 24, 2011
October 24, 2011	November 6, 2011	<b>November 10, 2011</b>	November 7, 2011
November 7, 2011	November 20, 2011	<b>November 22, 2011</b>	November 18, 2011
November 21, 2011	December 4, 2011	<b>December 8, 2011</b>	December 5, 2011
December 5, 2011	December 18, 2011	<b>December 16, 2011</b>	December 14, 2011
December 19, 2011	January 1, 2012	<b>January 5, 2012</b>	January 2, 2012
January 2, 2012	January 15, 2012	<b>January 19, 2012</b>	January 16, 2012
January 16, 2012	January 29, 2012	<b>February 2, 2012</b>	January 30, 2012
January 30, 2012	February 12, 2012	<b>February 16, 2012</b>	February 13, 2012
February 13, 2012	February 26, 20112	<b>March 1, 2012</b>	February 27, 20112
February 27, 2012	March 11, 2012	<b>March 9, 2012</b>	March 7, 2012
March 12, 2012	March 25, 2012	<b>March 29, 2012</b>	March 26, 2012
March 26, 2012	April 8, 2012	<b>April 12, 2012</b>	April 9, 2012
April 9, 2012	April 22, 2012	<b>April 26, 2012</b>	April 23, 2012
April 23, 2012	May 6, 2012	<b>May 10, 2012</b>	May 7, 2012
May 7, 2012	May 20, 2012	<b>May 24, 2012</b>	May 21, 2012
May 21, 2012	June 3, 2012	<b>June 7, 2012</b>	June 4, 2012
June 4, 2012	June 17, 2012	<b>June 21, 2012</b>	June 18, 2012
June 18, 2012	July 1, 2012	<b>July 5, 2012</b>	July 2, 2012
July 2, 2012	July 15, 2012	<b>July 19, 2012</b>	July 16, 2012
July 16, 2012	July 29, 2012	<b>August 2, 2012</b>	July 30, 2012
July 30, 2012	August 12, 2012	<b>August 16, 2012</b>	August 13, 2012
August 13, 2012	August 26, 2012	<b>August 30, 2012</b>	August 27, 2012

## Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. A notification period of one-month is necessary to activate this service. In most cases, the employee's first paycheck will be issued as a paper check and subsequent checks will flow as a check to bank transaction. Contact *Estella Elizalde* at 832-5889 in the Payroll office for more information about the automatic payroll deposit service.

## Payroll Deductions

### *Policy CFEA*

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

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans. Employees also may request payroll deduction for payment of membership dues to professional organizations, savings account deposits with First Mark Credit Union, alternative certification program tuition, child support, *Mini Mules* employee daycare expenses, Alamo Heights School Foundation contributions, United Way contributions and 403b deposits administered through Southwest Agency. Salary deductions (referred to as a "pay dock") are automatically made for unauthorized or unpaid leave.

## Overtime Compensation

### *Policy DEA*

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

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:00 a.m. Monday and ends at 11:59 p.m. Sunday.

Employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

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

## Travel Expense Reimbursement

### *Policy DEE*

Before any travel expenses are incurred by an employee, the employee's campus principal or director must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. Employees must submit receipts, to the extent possible, to be reimbursed for expenses other than mileage.

## Health Insurance

### *Policy CRD*

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

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are regularly scheduled to work at least 10 hours per week

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) and employees who are not contributing TRS members who are regularly scheduled to work less than 10 hours per week, are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each spring. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact *Leigh Ann Phillips*, Receptionist and Secretary to the Assistant Superintendent for Business and Finance at 832-5959 for more information.

## Supplemental Insurance Benefits

### *Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for:

- Life Insurance
- Disability Income Insurance Protection
- Dental Insurance (Ameritas Group)
- Dental and Vision Insurance (Humana CompBenefits)
- Cancer and Specified Disease Insurance with Optional Intensive Care Rider
- Heart Attack, Heart Disease, Stroke Insurance
- Accidental Death and Dismemberment Insurance

Premiums for these programs can be paid by payroll deduction.

Employees should contact *Linda Moeller*, Southwest Agency (administered by Bay Bridge Administrators), our third-party administrator for the supplemental insurance benefits, at (210) 736-1000 or (800) 222-1466 or [lindam@bbadmin.com](mailto:lindam@bbadmin.com) for more information.

## Cafeteria Plan Benefits (Section 125)

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

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

## Workers' Compensation Insurance

### *Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Workers' Compensation Solutions, effective August 2003.

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

All work-related accidents or injuries should be reported immediately to your supervisor and the campus nurse. At campuses, nurses send accident reports to *Leigh Ann Phillips*, Receptionist and Secretary to the Assistant Superintendent for Business and Finance. For employees assigned to Plant Services, report injuries to *Kay Miller*, Transportation Supervisor/Plant Services Secretary. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, page 46 for information on use of paid leave for such absences.

## Unemployment Compensation Insurance

### *Policy CRF*

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact *Dr. Dick Smith*, Director of Human Resources and Communications at 832-5955.

## Teacher Retirement

### *Policy DEG*

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits, who work at least 90 days a year, are also eligible 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.

Employees who plan to retire under TRS should notify their campus principal or supervisor and *Dr. Dick Smith*, Director of Human Resources and Communications as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web ([www.trs.state.tx.us](http://www.trs.state.tx.us)).

## Tuition Waiver for Dependents

### *Policy FDA*

As a privilege and not a right, children of nonresident, full time (at least 50 percent) teachers and administrators are eligible to attend district schools tuition-free. Upon completion of two years of employment with the district, the children of nonresident paraprofessional employees (teaching assistants, secretaries, and clerical staff) are eligible to attend district schools tuition-free. In order to continue enrollment from year to year, the students must maintain good discipline, attendance and grades.

## Day Care Option

The district offers employee day care for 3- and 4-year-old children. This program, located at Howard Early Childhood Center, is intended to begin children at age 3, continue through age 4 and have a seamless entry into kindergarten. This program offers a peer group with 3 year old PPCD students with disabilities. The classroom has extended hours to allow for teachers to be able to drop off their children early and pick them up later, similar to day care. The hours are currently 7:30 a.m. – 5:00 p.m. daily and on staff development days. The cost of the program is \$500 per month. If you have a typically developing child who will be 3 years of age on September 1 and you are interested in placing him or her in this program, please contact *Kris Holliday*, Director of Special Education and Student Services at 442-3719.

# Leaves and Absences

*Policies DEC, DECA, DECB*

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

**Use of Leave.** Leave is available for the employee's use at the beginning of the school year. Leave will not be approved for more days than an employee has accumulated in prior years plus those to be earned during the current year.

State personal and local leave is earned for professional and paraprofessional employees as indicated:

<b>RATE LEAVE IS EARNED</b> <b>Professional and Paraprofessional Employees</b> (Based on 100% Employment)		
No. of Days	State Personal	Local Sick
0 - 17	1/2	1/2
18 - 35	1	1
36 - 53	1 1/2	1 1/2
54 - 71	2	2
72 - 89	2 1/2	2 1/2
90 - 107	3	3
108 - 125	3 1/2	3 1/2
126 - 143	4	4
144 - 161	4 1/2	4 1/2
162 - 365	5	5

State personal and local sick is earned for Plant Services auxiliary employees as indicated:

<b>RATE LEAVE IS EARNED</b>		
<b>Plant Services Auxiliary Employees</b>		
(Based on 100% Employment <sup>See Note 1</sup> )		
State Personal	Local Sick	Vacation
First Year of Employment <sup>See Note 2</sup>		
Accrue 2 hours per pay period	Accrue 2 hours per pay period	Accrue 5 hours per pay period
Subsequent Years of Employment (effective September 1 each year)		
Advanced 40 hours per year	Advanced 40 hours per year	Advanced 80 hours per year <sup>See Note 3</sup>
NOTES:		
<p><sup>1</sup> Part-time employees in <i>First Year of Employment</i> receive one hour State Personal and one hour Local Sick each pay period and no vacation hours are accrued. Part-time employees in <i>Subsequent Years of Employment</i> receive 20 State Personal and 20 Local Sick hours up front each September 1.</p> <p><sup>2</sup> <i>First Year of Employment</i> is defined as twelve months of continuous work calculated from date of hire</p> <p><sup>3</sup> Employees with greater than ten years of AHISD experience receive 120 hours of vacation annually.</p>		

If an employee leaves the district before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck.

Leave must be used in whole-day or half-day increments for professional and paraprofessional employees. However, if an employee is taking family and medical leave, leave shall be recorded in one-hour increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

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

The use of extended sick leave days shall be permitted only after all available state and local leave has been exhausted.

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification.

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

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

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

## Personal Leave

State law entitles all employees to five days of paid personal leave per year. A day of earned personal leave is equivalent to an assigned workday. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. There are two types of personal leave: 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 leave will be granted to employees in the same manner as state sick leave.

**Discretionary.** Leave taken at an employee’s discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor using Eduphoria. The request needs to be submitted at least 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 or supervisor.

**Automated Discretionary Personal Leave Request Submission Instructions.** Using the Eduphoria system:

- Log into Eduphoria using your user name and password.
- At the *EDUPHORIA MY APPLICATIONS* landing page, click on *FORMSPACE*.
- At *FORMSPACE* page, on the *MY FORMS* tab, at the bottom of the left-hand blue border, click on *SUBMIT NEW FORM*.
- At *SELECT A CATEGORY*, click on *HUMAN RESOURCES & COMMUNICATIONS*.
- In the second column, click on *PERSONAL DAY REQUEST*.
- At the *PERSONAL DAY REQUEST* page, click on the calendar and select a date for the leave.
- After selecting the date for your leave, click on the *SUBMIT FORM* button at the bottom.

## State Sick Leave

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

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

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

## Local Leave

In addition to State Personal discretionary leave, the district provides Local Sick leave for the employee's use. Accumulated Local sick leave is available for the illness of the employee, the illness of a member of the employee's immediate family, a family emergency, or a death in the employee's immediate family.

Each school year employees earn five workdays of paid local leave. Local leave accumulates from year to year. Employees can accumulate local leave up to a maximum range of 50 to 65 days depending on the individual's work schedule as depicted below:

MAXIMUM ACCUMULATION OF LOCAL LEAVE	
Work Schedule	Maximum Number of Days of Accumulated Local Leave
180-199 days	50
200-219 days	55
220-229 days	60
230 days or Greater	65

## Extended Sick Leave

After all available state and local leave days have been exhausted and with approval of the Superintendent, an employee shall be granted in a school year a maximum of 20 workdays of extended sick leave to be used for the employee’s catastrophic illness or injury, including pregnancy-related illness or injury, or for absences related to the catastrophic illness or injury of a member of the employee’s immediate family.

The daily rate of pay for a substitute is deducted for each day of extended sick leave taken, whether or not a substitute is employed.

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

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

**Basic Leave Entitlement.** The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job.

**Military Family Leave Entitlements.** Eligible employees with a spouse, son, daughter, or parent on active military duty and deployed to a foreign country may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. It also includes a family member who is a veteran with an illness or injury that occurs in the line of duty while on active duty and manifests itself before or after the servicemember became a veteran. The veteran must have been on active duty during the five years preceding the need for treatment, recuperation, or therapy.

**Benefits and Protections.** During FML, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FML, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FML cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

**Eligibility Requirements.** Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

**Definition of Serious Health Condition.** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Use of Leave.** An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

**Substitution of Paid Leave for Unpaid Leave.** Employees may choose or employers may require use of accrued paid leave while taking FML. In order to use paid leave for FML, employees must comply with the district's normal paid leave policies.

**Employee Responsibilities.** Employees must provide 30 days advance notice of the need to take FML-when the need is foreseeable. When 30 days notice is not possible, the employee must

provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

**Employer Responsibilities.** Covered employers must inform employees requesting leave whether they are eligible under the FMLA. If they are eligible, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA, the employer must notify the employee.

**Unlawful Acts by Employers.** The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

**Enforcement.** An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

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

*FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300 (a) may require additional disclosures.*

For additional information:

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

## Local Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period from July 1 through June 30.

**Use of Paid Leave.** FMLA runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or

injury. The district will designate the leave as FML, if applicable, and notify the employee that accumulated leave will run concurrently.

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

**Intermittent Leave.** When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

**District Contact.** Employees that require FML or have questions should contact *Dr. Dick Smith*, Director of Human Resources and Communications, at 832-5955 for details on eligibility, requirements, and limitations.

## Temporary Disability Leave

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

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

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

When an employee is ready to return to work, *Dr. Dick Smith*, Director of Human Resources and Communications should be notified in writing at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

## Workers' Compensation Benefits

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

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use available, partial-day increments of sick leave or any other paid leave benefits to make up the difference between wage benefits and pre-injury or -illness wages. While an employee is receiving workers' compensation wage benefits, the district will charge available leave proportionately so that the employee receives an amount equal to the employee's regular salary.

## Assault Leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.

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

## Jury Duty or Other Court Appearances

Employees will be paid while on leave for jury duty or to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use paid leave. Employees shall be required to submit documentation of their need for leave for court appearances to the Human Resources office to avoid inappropriate pay deductions.

## Military Leave

**Paid Leave for Military Service.** Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave for authorized training or duty orders. Paid military leave is limited to 15 days each federal fiscal year (October 1–September 30). In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after Military Leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the period of time specified by law to *Dr. Dick Smith*, Director of Human Resources and Communications. In most cases, the length of federal military service cannot exceed five years.

**Continuation of Health Insurance.** Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact *Leigh Ann Phillips* at 832-5959 for details on eligibility, requirements, and limitations.

# Employee Relations and Communications

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## Employee Recognition and Appreciation

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

- Spotlight on Excellence
- Spotlight on Engagement
- In Good Character Award
- ESC Region 20, Teacher of the Year
- Trinity Prize for Teaching Excellence
- Mayoral and County Judge Outstanding Math and Science Teacher
- Rotary Teacher of Excellence
- HEB Teacher of Excellence
- Texas ExES Award

## District Communications

Throughout the school year, the Human Resources and Communications Office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements. They include the following:

**Electronic Publications.** District electronic publications are described below:

***AHISD Webpage***—Our district webpage (located at [www.ahisd.net](http://www.ahisd.net) ) serves as the frontline of our communication efforts. It provides information regarding actions by Trustees, information about all our campuses, district departments and services, including information regarding upcoming events and activities, policies and procedures, and news. The campus homepages link to teacher web pages. A couple of unique ways that we share the news is through ***Inside AHISD*** and ***AHISD Web TV***.

***Inside AHISD***—*Inside AHISD* is your connection to the latest news and information occurring in Alamo Heights ISD. With a simple click of your mouse, you can learn about upcoming events, district initiatives and program progress, and even see some of the fun and educational events occurring at our AHISD schools!

***AHISD Web TV***—Alamo Heights has ***Web TV***! Tune in to find informational programming that will keep you abreast of the latest initiatives, activities and events

occurring in AHISD. It is television delivered right to you on your desktop! AH web TV includes: *HeightsBlast*, *HeightsBeat* and *Teacher TV*.

**Facebook**—Like AHISD on *Facebook* and you will be connected to another source of news and information from Alamo Heights ISD. You can sign up at:  
[http://www.ahisd.net/departments/communications/social\\_network.html](http://www.ahisd.net/departments/communications/social_network.html)

**Twitter**—*Twitter* emphasizes our news and information-network with status updates on a variety of programs. Tweets are short, informational blurbs on current, time-sensitive topics. This free service lets us keep in touch with our educational community through the exchange of quick, frequent answers to the one simple question: “What’s happening?” Join today at:  
[http://www.ahisd.net/departments/communications/social\\_network.html](http://www.ahisd.net/departments/communications/social_network.html)

**AHISD e-blast**—*AHISD e-blast* is a targeted informational email delivered directly into your inbox on topics of interest including lock downs, electrical outages and school closings. This service is also available through campus subscriptions for the items of interest at that specific campus. Join today at:  
<http://www.ahisd.net/stupar/eblast/eblast.html>

**Print Publications.** District print publications are described below:

**School Views**—*School Views* is one of our print publications that is produced quarterly. This publication showcases the accomplishments of our students and staff, sharing feature stories and numerous photos from district and campus events. This publication is also available on-line.

**The AHISD District Report**—The *AHISD District Report* is produced annually and provides readers with a comprehensive overview of the district. It features key information about the district’s budget, enrollment, student performance and staffing. The report shares the numerous and diverse accomplishments of our students and staff while featuring photos of the activities and events that make Alamo Heights a distinctive school district. This publication is also available on-line.

**AHISD News**—*AHISD News* is located on the *First Class* desktop and highlights short, concise items of interest for teachers and staff. Typical articles highlight teacher accomplishments, training opportunities, legislative updates, and notification of other special events.

# Complaints and Grievances

## *Policy DGBA*

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

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

Alamo Heights ISD 015901		
PERSONNEL MANAGEMENT RELATIONS EMPLOYEE COMPLAINTS/GRIEVANCES		DGBA (LOCAL)
GUIDING PRINCIPLES	The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator.	
INFORMAL PROCESS	Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.	
DIRECT COMMUNICATION WITH BOARD MEMBERS	Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.	
FORMAL PROCESS	If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.	
	Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.	
	The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.	

FREEDOM FROM RETALIATION	Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.
WHISTLEBLOWER COMPLAINTS	Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]
COMPLAINTS AGAINST SUPERVISORS	Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaints alleging a violation of law by the Superintendent may be made directly to the Board or designee.
COMPLAINTS	In this policy, the terms “complaint” and “grievance” shall have the same meaning. This policy shall apply to all employee complaints, except as provided below.
EXCEPTIONS	<p>This policy shall not apply to:</p> <ol style="list-style-type: none"> <li>1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability). [See DIA]</li> <li>2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violations of Title VII. [See DIA]</li> <li>3. Complaints concerning retaliation relating to discrimination and harassment. [See DIA]</li> <li>4. Complaints concerning instructional materials. [See EFA]</li> <li>5. Complaints concerning a commissioned peace officer who is an employee of the District. [See CKE]</li> <li>6. Complaints arising from the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code. [See DFBB]</li> <li>7. Complaints arising from the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term. [See DFAA, DFBA, or DFCA, respectively]</li> </ol>
GENERAL PROVISIONS FILING	Complaint forms and appeal notices may be filed by hand-delivery, fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Fax filings shall be timely filed if they

	are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.
RESPONSE	At Levels One and Two, “response” shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the employee’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
DAYS	“Days” shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”
REPRESENTATIVE	<p>“Representative” shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.</p> <p>The employee may designate a representative through written notice to the District at any level of this process. If the employee designates a representative with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.</p>
CONSOLIDATING COMPLAINTS	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p> <p>When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.</p>
UNTIMELY FILINGS	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>

COSTS INCURRED	Each party shall pay its own costs incurred in the course of the complaint.
COMPLAINT FORM	<p>Complaints under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.</p> <p>A complaint form that is incomplete in any material aspect may be dismissed, but may be refiled with all the required information if the refiled is within the designated time for filing a complaint.</p>
AUDIO RECORDING	<p>As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.</p>
LEVEL ONE	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none"> <li>1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and</li> <li>2. With the lowest level administrator who has the authority to remedy the alleged problem.</li> </ol> <p>In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.</p> <p>If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.</p> <p>If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.</p> <p>The appropriate administrator shall investigate as necessary and hold a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.</p>

## LEVEL TWO

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

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

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

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

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

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

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

### LEVEL THREE

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

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

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

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

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

The Level Two record shall include:

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

If at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

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

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

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with

responses, shall be recorded by audio recording, video/audio recording, or court reporter.

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

On-line version located at:

[http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=DGBA\(LOCAL\).pdf](http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=DGBA(LOCAL).pdf)

# Employee Conduct and Welfare

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## Standards of Conduct

### *Policy DH*

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent first learns of the incident. See *Reports to the State Board for Educator Certification*, page 90 for additional information.

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

### **Texas Educators' Code of Ethics**

#### **Statement of Purpose**

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

Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. (19 TAC 247.1(b))

## **Professional Standards**

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

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

**Standard 1.2** The educator shall not 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 consume alcoholic beverages on school property or during school activities when students are present.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly or the educator attempted to conceal the communication;

- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

## Discrimination, Harassment, and Retaliation

*Policies DH, DIA*

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

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

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

Alamo Heights ISD 015901	
EMPLOYEE WELFARE FREEDOM FROM DISCRIMINATION, HARASSMENT , AND RETALIATION	DIA (LOCAL)
<hr/> <p><b>Note:</b> This policy addresses discrimination, harassment and retaliation involving District employees. In this policy, the term “employees” includes former employees and applicants for employment. For discrimination, harassment, and retaliation involving students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.</p> <hr/>	
STATEMENT OF NONDISCRIMINATION	The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national

	origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.
DISCRIMINATION	Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.
HARASSMENT	<p>Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none"> <li>1. Has the purpose or effect of unreasonably interfering with the employee's work performance;</li> <li>2. Creates an intimidating, threatening, hostile, or offensive work environment; or</li> <li>3. Otherwise adversely affects the employee's performance, environment or employment opportunities.</li> </ol>
EXAMPLES	Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.
SEXUAL HARASSMENT	<p>Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:</p> <ol style="list-style-type: none"> <li>1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or</li> <li>2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.</li> </ol>
EXAMPLES	Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on

	<p>another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.</p>
RETALIATION	<p>The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.</p> <p>An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.</p>
EXAMPLES	<p>Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.</p>
PROHIBITED CONDUCT	<p>In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.</p>
REPORTING PROCEDURES	<p>An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.</p> <p>Alternatively, the employee may report the alleged acts to one of the District officials below.</p>
DEFINITION OF DISTRICT OFFICIALS	<p>For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.</p>
TITLE IX COORDINATOR	<p>Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:</p> <p>Name: Dr. Richard Smith</p> <p>Position: Director of Human Resources and Communications</p> <p>Address: 7101 Broadway, San Antonio, TX 78209</p> <p>Telephone: (210) 824-2483</p>
ADA/ SECTION 504 COORDINATOR	<p>Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates</p>

	<p>and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:</p> <p>Name: Kris Holliday</p> <p>Position: Director of Special Education and Student Services</p> <p>Address: 705 Trafalgar, San Antonio, TX 78216</p> <p>Telephone: (210) 442-3700</p>
SUPERINTENDENT	The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.
ALTERNATIVE REPORTING PROCEDURES	<p>An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
TIMELY REPORTING	Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.
NOTICE OF REPORT	Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.
INVESTIGATION OF THE REPORT	<p>The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.</p> <p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.</p> <p>If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.</p> <p>The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the</p>

	<p>campus principal or supervisor shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
CONCLUDING THE INVESTIGATION	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.</p>
DISTRICT ACTION	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p> <p>The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.</p>
CONFIDENTIALITY	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</p>
APPEAL	<p>A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.</p> <p>The complainant may have a right to file a complaint with appropriate state or federal agencies.</p>
RECORDS RETENTION	<p>Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years. [See CPC]</p>
ACCESS TO POLICY	<p>This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.</p>

On-line version located at:

[http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=DIA\(LOCAL\).pdf](http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=DIA(LOCAL).pdf)

## Harassment of Students

*Policies DF, DH, 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 campus principal or other appropriate district official. All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, page 76 and *Bullying*, page 97 for additional information.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below:

Alamo Heights ISD 015901	
TERMINATION OF EMPLOYMENT	DF (LEGAL)
	<hr/> <b>Note:</b> For a detailed treatment of termination and nonrenewal of educator contracts, see policies DFAA and DFAB (Probationary Contracts), DFBA and DFBB (Term Contracts), and DFCA (Continuing Contracts). <hr/>
WITHHOLDING INFORMATION	An attempt by any District employee to encourage or coerce a child to withhold information from the child's parent is grounds for discharge or suspension under Education Code 21.104 (probationary contracts), 21.156 (continuing contracts), and 21.211 (term contracts). <i>Education Code 26.008(b)</i>
DISCHARGE OF CONVICTED EMPLOYEES	The District shall discharge an employee if the District obtains information through a criminal history record information (CHRI) review that: <ol style="list-style-type: none"><li>1. The employee has been convicted of:<ol style="list-style-type: none"><li>a. A felony under Penal Code Title 5;</li><li>b. An offense requiring registration as a sex offender under Code of Criminal Procedure Chapter 62; or</li><li>c. An offense under the laws of another state or federal law that is equivalent to an offense under paragraphs a or b; and</li></ol></li></ol>

EXCEPTION	<p>2. At the time the offense occurred, the victim of the offense was under 18 years of age or was enrolled in a public school.</p> <p>However, the District is not required to discharge an employee if the person committed an offense under Title 5, Penal Code, and:</p> <ol style="list-style-type: none"> <li>1. The date of the offense is more than 30 years before June 15, 2007; and</li> <li>2. The employee satisfied all terms of the court order entered on conviction.</li> </ol>
CERTIFICATION TO SBEC	<p>Each school year, the Superintendent shall certify to the Commissioner that the District has complied with the above provisions.</p>
SANCTIONS	<p>The State Board for Educator Certification (SBEC) may impose a sanction on an educator who does not discharge an employee if the educator knows or should have known, through a criminal history record information review, that the employee has been convicted of an offense described above.</p>
OPTIONAL TERMINATION	<p>The District may discharge an employee if the District obtains information of the employee's conviction of a felony or of a misdemeanor involving moral turpitude that the employee did not disclose to SBEC or the District. An employee so discharged is considered to have been discharged for misconduct for purposes of Labor Code 207.044 (unemployment compensation).</p> <p><i>Education Code 22.085 [See DBAA]</i></p>
CERTAIN OFFENSES AGAINST CHILDREN	<p>A district that receives notice under Education Code 21.058(b) of the revocation of a certificate issued under Chapter 21, Subchapter B, shall:</p> <ol style="list-style-type: none"> <li>1. Immediately remove the person whose certificate has been revoked from campus or from an administrative office, as applicable, to prevent the person from having any contact with a student [see DK]; and</li> <li>2. As soon as practicable, terminate the employment of the person in accordance with the person's contract and with Education Code Chapter 21, Subchapter B.</li> </ol> <p>These removal and termination requirements apply only to a conviction of a felony under Penal Code Title 5 or an offense for which the person must register as a sex offender, and only if the victim of the offense is under 18 years of age.</p> <p><i>Education Code 21.058</i></p>
FAILURE OF CERTIFICATION	<p>An employee's probationary, term, or continuing contract under Education Code Chapter 21 is void if the employee:</p>

DISTRICT'S OPTIONS	<ol style="list-style-type: none"> <li>1. Does not hold a certificate or permit issued by SBEC; or</li> <li>2. Fails to fulfill the requirements necessary to extend the employee's temporary or emergency certificate or permit.</li> </ol> <p>After an employee receives notice that the employee's contract is void the District may:</p> <ol style="list-style-type: none"> <li>1. Terminate the employee;</li> <li>2. Suspend the employee with or without pay; or</li> <li>3. Retain the employee for the remainder of the school year on an at-will employment basis in a position other than classroom teacher at the employee's existing rate of pay or at a reduced rate.</li> </ol>
NO APPEAL OR CHAPTER 21 HEARING	<p>An employee whose contract is void is not entitled to the minimum salary prescribed by Education Code 21.402.</p> <p>The District's decision under Education Code 21.0031(b) is not subject to appeal under Education Code Chapter 21, and the notice and hearing requirements of that chapter do not apply to the decision.</p>
APPLICABILITY	<p><i>Education Code 21.0031</i></p> <p>These void contract provisions do not affect the rights and remedies of a party in an at-will employment relationship and do not apply to a certified teacher assigned to teach a subject for which the teacher is not certified. <i>Education Code 21.0031; Nunez v. Simms, 341 F.3d 385 (5th Cir. 2003)</i></p>
REPORT TO SBEC	<p>In addition to the reporting requirement under Family Code 261.101 [see FFG], the Superintendent shall promptly notify SBEC in writing by filing a report within seven calendar days of the date the Superintendent first obtains or has knowledge of information indicating that:</p>
CRIMINAL HISTORY	<ol style="list-style-type: none"> <li>1. An applicant for or holder of a certificate issued by SBEC has a reported criminal history;</li> </ol>
ASSESSMENT INSTRUMENT	<ol style="list-style-type: none"> <li>2. The certificate holder engaged in conduct that violated the assessment instrument security procedures established under Education Code 39.0301; or</li> </ol>
RESIGNATION	<ol style="list-style-type: none"> <li>3. The certificate holder resigned and reasonable evidence supports a recommendation by the Superintendent to terminate the educator based on a determination that the educator engaged in misconduct described in 4(a)–(f), below [see DFE];</li> </ol>
TERMINATION	<ol style="list-style-type: none"> <li>4. A certificate holder's employment at the District was terminated based on a determination that the certificate holder:</li> </ol>

- a. Sexually or physically abused or otherwise committed an unlawful act with a student or minor;
- b. Possessed, transferred, sold, or distributed a controlled substance, as defined by Health and Safety Code Chapter 481 or by 21 U.S.C. Section 801 et seq.;
- c. Illegally transferred, appropriated, or expended funds or other property of the District;
- d. Attempted by fraudulent or unauthorized means to obtain or alter a professional certificate or permit for the purpose of promotion or additional compensation;
- e. Committed a criminal offense or any part of a criminal offense on school property or at a school-sponsored event; or
- f. Solicited or engaged in sexual conduct or a romantic relationship with a student or minor.

DEFINITIONS

“Abuse” has the meaning assigned by Family Code 261.001 and includes any sexual conduct involving an educator and a student or minor.

“Solicitation of a romantic relationship” means deliberate or repeated acts that can be reasonably interpreted as soliciting a relationship characterized by an ardent emotional attachment or pattern of exclusivity. Acts that constitute the solicitation of a romantic relationship include:

- 1. Behavior, gestures, expressions, communications, or a pattern of communication with a student that is unrelated to the educator’s job duties and that may reasonably be interpreted as encouraging the student to form an ardent or exclusive emotional attachment to the educator, including statements of love, affection, or attraction. When evaluating whether communications constitute the solicitation of a romantic relationship, the following may be considered:
  - a. The nature of the communications;
  - b. The timing of the communications;
  - c. The extent of the communications;
  - d. Whether the communications were made openly or secretly;
  - e. The extent to which the educator attempted to conceal the communications;

	<ul style="list-style-type: none"> <li>f. If the educator claims to be counseling a student, TEA staff may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate law enforcement agencies; and</li> <li>g. Any other communications tending to show that the educator solicited a romantic relationship with a student.</li> </ul>
	<ul style="list-style-type: none"> <li>2. Making inappropriate comments about a student's body.</li> <li>3. Making sexually demeaning comments to a student.</li> <li>4. Making comments about a student's potential sexual performance.</li> <li>5. Requesting details of a student's sexual history.</li> <li>6. Requesting a date.</li> <li>7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.</li> <li>8. Inappropriate hugging, kissing, or excessive touching.</li> <li>9. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.</li> <li>10. Any other acts tending to show that the educator solicited a romantic relationship with the student, including providing the student with drugs or alcohol.</li> </ul>
REPORTS	<p>A superintendent who is required to file a report, but fails to timely do so, is subject to sanctions.</p> <p>The Superintendent shall notify the Board of the District and the educator of the filing of the report.</p>
IMMUNITY	<p>A superintendent who in good faith and while acting in an official capacity files a report with SBEC is immune from civil or criminal liability that might otherwise be incurred or imposed.</p> <p><i>Education Code 21.006; 19 TAC 249.14</i></p>

On-line version located at:

[http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=DF\(LEGAL\).pdf](http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=DF(LEGAL).pdf)

The district's policy regarding student welfare is reprinted below:

Alamo Heights ISD 015901	
STUDENT WELFARE FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION	FFH (LOCAL)
	<hr/> <p><b>Note:</b> This policy addresses discrimination, harassment, and retaliation involving District students. For provisions regarding discrimination, harassment, and retaliation involving District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. For provisions regarding bullying, see FFI.</p> <hr/>
STATEMENT OF NONDISCRIMINATION	The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy.
DISCRIMINATION	Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or on any other basis prohibited by law, that adversely affects the student.
PROHIBITED HARASSMENT	<p>Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, gender, national origin, disability, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none"> <li>1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;</li> <li>2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or</li> <li>3. Otherwise adversely affects the student's educational opportunities.</li> </ol> <p>Prohibited harassment includes dating violence as defined by this policy.</p>
EXAMPLES	Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or

<p>SEXUAL HARASSMENT BY AN EMPLOYEE</p>	<p>rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.</p> <p>Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:</p> <ol style="list-style-type: none"> <li>1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or</li> <li>2. The conduct is so severe, persistent, or pervasive that it: <ol style="list-style-type: none"> <li>a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or</li> <li>b. Creates an intimidating, threatening, hostile, or abusive educational environment.</li> </ol> </li> </ol>
<p>BY OTHERS</p>	<p>Romantic or inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DF]</p> <p>Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:</p> <ol style="list-style-type: none"> <li>1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;</li> <li>2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or</li> <li>3. Otherwise adversely affects the student's educational opportunities.</li> </ol>
<p>EXAMPLES</p>	<p>Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.</p>

	<p>Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.</p>
DATING VIOLENCE	<p>Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner.</p>
EXAMPLES	<p>Examples of dating violence against a student may include physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.</p> <p>For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none"> <li>1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;</li> <li>2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or</li> <li>3. Otherwise adversely affects the student's educational opportunities.</li> </ol>
RETALIATION	<p>The District prohibits retaliation against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.</p> <p>A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding discrimination or harassment, including dating violence, is subject to appropriate discipline.</p>
EXAMPLES	<p>Examples of retaliation include threats, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances, such as negative comments that are justified by a student's performance in the classroom.</p>
PROHIBITED CONDUCT	<p>In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, and retaliation as defined by this</p>

	policy, even if the behavior does not rise to the level of unlawful conduct.
PROHIBITED CONDUCT	In this policy, the term “prohibited conduct” includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.
REPORTING PROCEDURES	<p>Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.</p> <p>Alternatively, a student may report prohibited conduct directly to one of the District officials below:</p>
DEFINITION OF DISTRICT OFFICIALS	For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.
TITLE IX COORDINATOR	<p>Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:</p> <p>Name: Dr. Richard Smith</p> <p>Position: Director of Human Resources and Communications</p> <p>Address: 7101 Broadway, San Antonio, TX 78209</p> <p>Telephone: (210) 824-2483</p>
ADA / SECTION 504 COORDINATOR	<p>Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:</p> <p>Name: Kris Holliday</p> <p>Position: Director of Special Education and Student Services</p> <p>Address: 705 Trafalgar, San Antonio, TX 78216</p> <p>Telephone: (210) 442-3700</p>
SUPERINTENDENT	The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

ALTERNATIVE REPORTING PROCEDURES	<p>A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p>
	<p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall</p>
	<p>nator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p>
	<p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
TIMELY REPORTING	<p>Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.</p>
NOTICE OF REPORT	<p>Any District employee who receives notice that a student has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.</p>
NOTICE TO PARENTS	<p>The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.</p>
INVESTIGATION OF THE REPORT	<p>The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.</p>
	<p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.</p>
	<p>If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.</p>
	<p>The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal shall be involved in or informed of the investigation.</p>

	<p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
CONCLUDING THE INVESTIGATION	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.</p>
DISTRICT ACTION	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p> <p>The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.</p>
CONFIDENTIALITY	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</p>
APPEAL	<p>A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.</p>
RECORDS RETENTION	<p>Retention of records shall be in accordance with FB(LOCAL) and CPC(LOCAL).</p>
ACCESS TO POLICY	<p>Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices.</p>

On-line version located at:

[http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=FFH\(LOCAL\).pdf](http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=FFH(LOCAL).pdf)

## Reporting Suspected Child Abuse

*Policies DF, DG, DH, FFG, GRA*

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Abuse is defined by SBEC and includes the following acts or omissions:

- Mental or emotional injury to a student or minor that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Causing or permitting a student or minor to be in a situation in which the student or minor sustains a mental or emotional injury that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Physical injury that results in substantial harm to a student or minor, or the genuine threat of substantial harm from physical injury to the student or minor, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline; or
- Sexual conduct harmful to a student's or minor's mental, emotional, or physical welfare.

Reports to Child Protective Services can be made to a law enforcement agency—the San Antonio Police Department at 210-207-7660 or the Alamo Heights Police Department at 210-822-3321 depending on the location of the particular campus—or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person to make the report.

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

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

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

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying an

interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

## Sexual Abuse and Maltreatment of Children

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

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

## Technology Resources

### *Policy CQ*

The district's technology resources, including its network access to the Internet, are primarily for administrative and instructional purposes. Limited personal use is permitted if the use:

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

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

Employees who are authorized to use the system are required to abide by the provisions of the acceptable use policy and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact *Jennifer Faulkner*, Director of Instructional and Information Technology, at 832-5780.

## Personal Use of Electronic Media

### *Policy DH*

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., *YouTube*), editorial comments posted on the Internet, and social network sites (e.g., *Facebook*, *MySpace*, *Twitter*, *LinkedIn*). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

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

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment during business hours.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student records. [See Policy FL]
  - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See Policy DH (EXHIBIT)]
  - Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
  - Copyright law [See Policy CY]
  - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]
- Regarding personal social networking sites, the following applies:
  - Consider setting all privacy settings (page, photos, etc.) to "friends only"
  - Closely monitor the content of the *Facebook*, or other social media pages. Consider "unfriending," "hiding," or setting privacy to "friends cannot be seen" when confronted with individuals who enter inappropriate material.
  - Never post pictures of students or information about students on a personal social media page.

**Use of Personal Cell Phones by Employees:** The following applies:

- Do not receive or make personal phone calls during instructional time.
- Keep cell phones on silent or off during instructional time and during professional meetings.
- Do not send or read personal text messages during instructional time.

**Password Sharing and Failure to Log Off of District Equipment:** It is inappropriate for an employee to share his or her district password with others or leave the immediate area without logging off of a district computer.

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

## Use of Electronic Media with Students

### *Policy DH*

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

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., *YouTube*), editorial comments posted on the Internet, and social network sites (e.g., *Facebook, MySpace, Twitter, LinkedIn*). *Electronic media* also includes all forms of telecommunication such as landlines, 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*.
- *Employee* means a person with a need to communicate with currently-enrolled students about matters within the scope of the employee's assigned responsibilities. An employee may use electronic media to communicate with currently-enrolled students about matters within the scope of the employee's professional responsibilities.

**Parent Notification.** An employee who communicates with students using social media must ensure parents are (1) advised in advance of the communication method and have received signed, written consent from the parent and (2) the reason why social media is being used.

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

- Notify the campus principal in writing, identifying the web address/*Facebook* site if you intend to use social media with students.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities.
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.

- The employee shall not communicate directly (live real time phone call, text or chat) with students before 6:00 a.m. or after 11:00 p.m. Athletic coaches, academic and other extracurricular sponsors may need to communicate directly with students during the restricted time period. Such communications should only pertain to immediate student needs. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records.
  - Copyright law.
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student.
  - Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the methods(s) or electronic media the employee uses to communicate with any one or more currently-enrolled students.
  - Upon written request from a parent or student, the employee shall discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.

**Exceptions for Family and Social Relationships.** An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee’s child, or a member or participant in the same civic, social, recreational, or religious organization.

**Classroom / School Facebook (Social Media Site):** A letter must be sent home to parents with an explanation of the instructional justification for hosting a classroom or school social media page. The letter needs to convey that the purpose of this tool is to serve as an extension of the classroom and is subject to the rules outlined in the Student Code of Conduct. In addition, parents need to be advised that inappropriate content, photos, comments, language, etc. will not be tolerated.

**Requirement to Report Illegal Activity.** Since the use of the teacher’s/employee’s social media site is considered an extension of the classroom, inappropriate behavior constitutes a disruption to the educational process and may subject the student to disciplinary action in conjunction with the Student Code of Conduct. If there is objectionable material posted, it is appropriate to ask the student to remove the material and consider action to “unfriend” the student.

Teachers and administrators need to monitor the site closely. If photos are posted by others that show illegal activity (for example, a minor consuming alcohol or drug activity), which results in a cause to believe that a student has been abused or neglected, the employee needs to file a report to Child and Adult Protective Services.

**Cell Phone Communication with Students:** Employees who communicate with students via cell phone, need to ensure the student's parents are aware you are: (1) communicating directly with his or her student, and (2) the reason why this direct communication is necessary.

**Email Communication with Students:** Employees need to use the district-provided email systems (First Class and Google for students: 12ahisd.net) when communicating with students via email. Do not use personal email accounts to communicate with students.

**Request for Exception from Limitations:** An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

## Criminal History Background Checks

### *Policy DBAA*

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

## Employee Arrests and Convictions

### *Policy DH*

An employee must notify his or her principal or immediate supervisor within three business days of any arrest, indictment, charge, conviction, no contest or guilty plea, or other adjudication of any criminal offense (other than minor moving violations that are adjudicated in municipal or justice of the peace courts). An employee who is convicted of or receives deferred adjudication for any felony or any offense involving moral turpitude must also report that event to the principal or immediate supervisor.

Moral turpitude includes, but is not limited to, the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence

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

## Alcohol and Drug-Abuse Prevention

### *Policies DH, DI*

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

ALCOHOL AND DRUGS	<p>Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:</p> <ol style="list-style-type: none"> <li>1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.</li> <li>2. Alcohol or any alcoholic beverage.</li> <li>3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.</li> <li>4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.</li> </ol> <p>An employee need not be legally intoxicated to be considered “under the influence” of a controlled substance.</p>
EXCEPTIONS	<p>An employee who manufactures, possesses, or dispenses a substance listed above as part of the employee’s job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee’s personal use shall not be considered to have violated this policy.</p>

On-line version located at:

[http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=DH\(LOCAL\).pdf](http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=DH(LOCAL).pdf)

The school district's employee welfare Drug-Free Workplace Notice is reprinted below:

Alamo Heights ISD 015901	
EMPLOYEE WELFARE	DI (EXHIBIT)
<b>DRUG-FREE WORKPLACE NOTICE</b>	
<p>The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace.</p> <p>Employees who violate this prohibition shall be subject to disciplinary sanctions. Sanctions may include:</p> <ul style="list-style-type: none"><li>• Referral to drug and alcohol counseling or rehabilitation programs;</li><li>• Referral to employee assistance programs;</li><li>• Termination from employment with the District; and</li><li>• Referral to appropriate law enforcement officials for prosecution.</li></ul> <p>As a condition of employment, an employee shall:</p> <ul style="list-style-type: none"><li>• Abide by the terms of this notice; and</li><li>• Notify the Superintendent, in writing, if the employee is convicted for a violation of a criminal drug statute occurring in the workplace. The employee must provide the notice in accordance with DH(LOCAL).</li></ul> <p>[This notice complies with the requirements of the federal Drug-Free Workplace Act (41 U.S.C. 702).]</p>	

On-line version located at:

[http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=DI\(XHIBIT\).pdf](http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=DI(XHIBIT).pdf)

## **Tobacco Use**

*Policies DH, FNCD GKA*

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

## Fraud and Financial Impropriety

### *Policy CAA*

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

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

## Conflict of Interest

### *Policy DBD*

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

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

## Gifts and Favors

### *Policy DBD*

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

## Copyrighted Materials

### *Policy EFE*

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

## Associations and Political Activities

### *Policy DGA*

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

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

## Charitable Contributions

### *Policy DG*

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

## Safety

### *Policy CK series*

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

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

Employees with questions or concerns relating to safety programs and issues can contact *Louis M. Cardenas*, Safety Coordinator in Plant Services at 832-5973 or *Mike Hagar*, Assistant Superintendent of Business and Finance at 822-3374.

## Possession of Firearms and Weapons

*Policies FNCG, GKA*

Employees, visitors, and students are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or call *Leigh Ann Phillips*, Receptionist and Secretary to the Assistant Superintendent for Business and Finance at 832-5959 immediately.

## Visitors in the Workplace

*Policy GKC*

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

## Asbestos Management Plan

*Policy CKA*

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

## Pest Control Treatment

*Policies CLB, DI*

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

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located at the front door of the facility. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written or electric means. Pest control information sheets are available from campus principals or facility managers upon request.

# General Procedures

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## Bad Weather Closing

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

PUBLIC MEDIA USED FOR ADVERSE CONDITION NOTIFICATIONS	
Radio	
Radio Station KTSA/KTFM (550 AM/94.1 FM)	<a href="http://www.ktsa.com/index.php">http://www.ktsa.com/index.php</a>
Radio Station KONO (101.1 FM)	<a href="http://www.kono1011.com/">http://www.kono1011.com/</a>
Radio Station Univision	
Radio Station KDRY (1100 AM)	<a href="http://www.kdry.com/">http://www.kdry.com/</a>
Radio Station Y-100 (100.3 FM)	<a href="http://www.y100fm.com/">http://www.y100fm.com/</a>
Radio Station KSLR-AM (630 AM)	<a href="http://www.kslr.com/">http://www.kslr.com/</a>
Radio Station WOAI (1200 AM)	<a href="http://www.woai.com/sites/woai/select.aspx">http://www.woai.com/sites/woai/select.aspx</a>
Radio Station KISS-AM (99.5 FM)	<a href="http://www.kissrocks.com/">http://www.kissrocks.com/</a>
Television	
KENS-TV (Channel 5)	<a href="http://www.kens5.com/">http://www.kens5.com/</a>
KSAT-TV (Channel 12)	<a href="http://www.ksat.com/index.html">http://www.ksat.com/index.html</a>
WOAI-TV (Channel 4)	<a href="http://www.woai.com/sites/woai/select.aspx">http://www.woai.com/sites/woai/select.aspx</a>
KABB-TV/FOX (Channel 11)	<a href="http://www.foxsanantonio.com/">http://www.foxsanantonio.com/</a>

## Emergencies

*Policies CKC, CKD*

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

## Purchasing Procedures

### *Policy CH*

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

## Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the district there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. A name or address change requires a new IRS Form W-4 be submitted to the Payroll Department. The form to process a change in personal information can be submitted through the *Eduphoria* system.

**Automated Name and Address Change Submission Instructions.** Using the *Eduphoria* system:

- Log into *Eduphoria* using your user name and password.
- At the *EDUPHORIA MY APPLICATIONS* landing page, click on *FORMSPACE*.
- At *FORMSPACE* page, on the *MY FORMS* tab, at the bottom of the left-hand blue border, click on *SUBMIT NEW FORM*.
- At *SELECT A CATEGORY*, click on *HUMAN RESOURCES & COMMUNICATIONS*.
- In the second column, click on *NAME/ADDRESS CHANGE FORM*.
- At the *SELECT A CAMPUS* page, click on the appropriate campus assignment and fill in the data requested on the *NAME/ADDRESS CHANGE FORM*.
- After completing the form, click on the *SUBMIT FORM* button at the bottom of the form.

## Personnel Records

### *Policy GBA*

Most district records, including personnel records, are public information and must be released upon request. Employees may choose to have the following personal information withheld:

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

The choice to not allow public access to this information may be made at any time by submitting a written request to the Human Resources Department. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public.

## **Building Use**

*Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. *Gene Phillips*, Director of Athletics at 832-5717 is responsible for scheduling the use of facilities after school hours. He is also responsible for providing information on the fees charged.

# Termination of Employment

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## Resignations

*Policy DFE*

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

The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in *Reports to the State Board for Educator Certification* on page 92.

**Noncontract Employees.** Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to the Human Resources Department for professional and paraprofessional employees and Plant Services for auxiliary employees at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

## Dismissal or Nonrenewal of Contract Employees

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

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

## Dismissal of Noncontract Employees

*Policy DCD*

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, gender, national origin, age, disability, military status, genetic

information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 50.)

## Exit Interviews and Procedures

### *Policies DC and CY*

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

**Automated Exit Interview Submission Instructions.** Using the *Eduphoria* system:

- Log into *Eduphoria* using your user name and password.
- At the *EDUPHORIA MY APPLICATIONS* landing page, click on *FORMSPACE*.
- At *FORMSPACE* page, on the *MY FORMS* tab, at the bottom of the left-hand blue border, click on *SUBMIT NEW FORM*.
- At *SELECT A CATEGORY*, click on *HUMAN RESOURCES & COMMUNICATIONS*.
- In the first column, click on *EXIT INTERVIEW*.
- At the *SELECT A CAMPUS* page, click on the appropriate campus assignment and fill in the data requested on the Exit Interview screen.
- After completing the form, click on the *SUBMIT FORM* in the blue bar at the top of the form.

## Reports to State Board for Educator Certification

### *Policy DF*

The dismissal or resignation of a certified employee will be reported to SBEC when the Superintendent first learns about an alleged incident of conduct that involves the following:

- A reported criminal history
- Any form of sexual or physical abuse of a minor or any other illegal conduct with a student or a minor
- Soliciting or engaging in sexual conduct or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of 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

- Violating assessment instrument security procedures

## Reports Concerning Court-Ordered Withholding

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

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

# Student Issues

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## Equal Educational Opportunities

*Policies FB, FFH*

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

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to *Dr. Dick Smith*, Director of Human Resources and Communications, at 832-5955, the district Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to *Kris Holliday*, Director of Special Education and Student Services, the district ADA/Section 504 coordinator. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

## Student Records

*Policy FL*

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

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student (if 18 or older or emancipated by a court)
- School officials with legitimate educational interests

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

## Parent and Student Complaints

*Policy FNG*

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

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

## **Administering Medication to Students**

*Policy FFAC*

Only designated employees can administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. A student who must take medication during the school day must bring a written request from his or her parent and the medicine in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

## **Dietary Supplements**

*Policies DH, FFAC*

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

## **Psychotropic Drugs**

*Policy FFAC*

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

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

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

## **Student Conduct and Discipline**

*Policies in the FN series and FO series*

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

## **Student Attendance**

*Policy FEB*

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

## Bullying

*Policy FFI*

All employees are required to report student complaints of bullying to the campus principal. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

Alamo Heights ISD 015901	
STUDENT WELFARE FREEDOM FROM BULLYING	FFI (LOCAL)
	<hr/> <p><b>Note:</b> This policy addresses bullying of District students. For provisions regarding discrimination, harassment, and retaliation involving District students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.</p> <hr/>
BULLYING PROHIBITED	The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy.
DEFINITION	<p>Bullying occurs when a student or group of students engages in written or verbal expression or physical conduct that:</p> <ol style="list-style-type: none"> <li>1. Will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or</li> <li>2. Is sufficiently severe, persistent, or pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.</li> </ol>
EXAMPLES	Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, and ostracism.
TIMELY REPORTING	Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the District's ability to investigate and address the prohibited conduct.

REPORTING PROCEDURES	Any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee. A report may be made orally or in writing.
NOTICE OF REPORT	Any District employee who receives notice that a student has or may have experienced bullying shall immediately notify the campus principal or designee.
INVESTIGATION OF REPORT	<p>If a report is made orally, the campus principal or designee shall reduce the report to written form.</p> <p>The campus principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, and if so proceed under that policy instead.</p> <p>The campus principal or designee shall conduct an appropriate investigation based on the allegations in the report. The campus principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.</p>
CONCLUDING THE INVESTIGATION	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the campus principal or designee shall take additional time if necessary to complete a thorough investigation.</p> <p>The campus principal or designee shall prepare a written report of the investigation, including a determination of whether bullying occurred, and send a copy to the Superintendent or designee.</p>
DISTRICT ACTION	<p>If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the District's Student Code of Conduct. [For information on student transfers due to bullying, see FDB.]</p> <p>A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.</p>
RECORDS RETENTION	Retention of records shall be in accordance with CPC(LOCAL). The District may take action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of bullying under this policy.
CONFIDENTIALITY	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and

ACCESS TO POLICY	<p>witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.</p> <p>Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices.</p>
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On-line version located at:

[http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=FFI\(LOCAL\).pdf](http://www.tasb.org/policy/pol/private/015901/pol.cfm?DisplayPage=FFI(LOCAL).pdf)

## Hazing

### *Policy FNCC*

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

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