

DRIPPING SPRINGS ISD



EMPLOYEE HANDBOOK

2022 - 2023

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Welcome from Human Resources

Dear Employees,

Welcome to 2022-2023! We are excited that you have chosen to serve the children of Dripping Springs ISD. We are committed to providing a superior education for all our children in an environment that is safe, comfortable, and conducive to high levels of learning. We have high expectations for ourselves and for all our students. In fact, this expectation rises to the level of “Life Changer.”

Most of these expectations are clearly outlined in the pages of this Employee Handbook. We urge you to read it carefully and ask any questions you have regarding its contents. In addition, there are always cases that require individual attention and personal communication. We hope you will interact with us when these situations arise, so we can quickly resolve workplace needs or concerns and create the best work environment for you and all employees.

We look forward to serving our students together with you.

Sincerely,

The DSISD HR Team

Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included and those that are, may be summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Office of Human Resource Services (HR) at HRSupport@dsisdtx.us.

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

The DSISD Policy Manual is located in the Superintendent's office and is also available [online](#) for employee review. In addition, any staff who have need for Chapter 37 of the Texas Education Code, can access that chapter [online](#) as well.

At any time, an employee may request a hard copy of a specific policy or laws from his or her campus or department supervisor. Please see Appendix A for a list of common policy manual codes for Board-adopted employment policies.

Dripping Springs Independent School District does not discriminate on the basis of race, color, religion, gender, sex (including pregnancy), national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices, activities, and programs.

El Distrito Escolar Independiente de Dripping Springs no discrimina a base de raza, color, religión, género, origen nacional, edad, incapacidad, estatus militar, información genética, o cualquier otra base discriminatoria prohibida por ley en sus métodos de empleo, actividades, y programas.

District Information

DSISD Vision and Mission Statements

Policy AE

Vision: *We inspire and equip students to be lifelong learners and positive contributors to the world.*

Mission: *We partner with students, parents, and the community to provide a personal and exceptional education for every student.*

Public Education Mission and Objectives

Policy AE

The mission of the Texas public education system is to ensure that all Texas children have access to a quality education that enables them to achieve their full potential and fully participate now and in the future in the social, economic, and educational opportunities in our state and nation. That mission is grounded on the conviction that a general diffusion of knowledge is essential for the welfare of Texas and for the preservation of the liberties and rights of Texas citizens. It is further grounded on the conviction that a successful public education system is directly related to a strong, dedicated, and supportive family and that parental involvement in the school is essential for the maximum educational achievement of a child.

The objectives of public education are:

- OBJECTIVE 1: Parents will be full partners with educators in the education of their children.
- OBJECTIVE 2: Students will be encouraged and challenged to meet their full educational potential.
- OBJECTIVE 3: Through enhanced dropout prevention efforts, all students will remain in school until they obtain a diploma.
- OBJECTIVE 4: A well-balanced and appropriate curriculum will be provided to all students. Through that curriculum, students will be prepared to succeed in a variety of postsecondary activities, including employment and enrollment in institutions of higher education.
- OBJECTIVE 5: Educators will prepare students to be thoughtful, active citizens who have an appreciation for the basic values of our state and national heritage and who can understand and productively function in a free enterprise society.
- OBJECTIVE 6: Qualified and highly effective personnel will be recruited, developed, and retained.
- OBJECTIVE 7: Texas students will demonstrate exemplary performance in comparison to national and international standards.
- OBJECTIVE 8: School campuses will maintain a safe and disciplined environment conducive to student learning.
- OBJECTIVE 9: Educators will keep abreast of the development of creative and innovative techniques in instruction and administration using those techniques as appropriate to improve student learning.
- OBJECTIVE 10: Technology will be implemented and used to increase the effectiveness of student learning, instructional management, staff development, and administration.
- OBJECTIVE 11: The State Board of Education, TEA, and the commissioner shall assist school districts and charter schools in providing career and technology education to students.

Portrait of a Graduate

PORTRAIT OF A GRADUATE

Dripping Springs ISD is committed to providing an environment that encourages our students to approach each day with eager anticipation of the learning opportunities to be experienced. These opportunities will provide them with the skills, knowledge, and confidence to build and maintain relationships, to be contributing members of society, and to accomplish their visions and aspirations.

A DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT GRADUATE IS A LIFELONG LEARNER

who continuously seeks knowledge and information to use for setting and attaining lofty goals, who constantly evaluates and monitors, who is open to alternatives for investigation, and who remains flexible and adaptive to change.

AN ACCOMPLISHED COMMUNICATOR

who possesses and effectively uses the levels of communication skills prescribed by today's multi-faceted and rapidly changing world...skills in listening, speaking, writing, reading, mathematics, and technology presentations.

A SKILLFUL PROBLEM SOLVER

who can identify a problem using available data to organize, analyze, interpret, and predict consequences, so that problems inherent in a rapidly changing society can be solved effectively.

A CONSCIENTIOUS CITIZEN

who is honest and steadfast in beliefs about our nation and its tenets of diversity, understands how our government functions, willingly contributes to the many aspects of community, and responsibly manages time and other resources.

A CONTRIBUTING MEMBER OF SOCIETY

who possesses high standards for self whether leading or contributing to the successful attainment of team goals, takes pride in his own work, and is dependable and creative.

Board of Trustees

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

2022-2023 Board Members: **Mary Jane Hetrick, *President***
 Ron Jones, *Vice President*
 Stefani Reinold, *Secretary*
 Olivia Barnard, *Trustee*
 Shannon O'Connor, *Trustee*
 Tricia Quintero, *Trustee*
 Barbara Stroud, *Trustee*

Texas law grants the Board of Trustees (the Board) the power to govern and oversee the management of the district's schools. The Board is the policymaking body within the district and has overall responsibility for the curriculum, school taxes, annual budget, employment of the Superintendent and other professional staff, facilities, and expansions. The Board has complete and final control over school matters within limits established by state and federal law and regulations.

The Board is elected by the citizens of the district to ensure a strong educational program for the district's children. The Board consists of seven trustees serving terms of three years. The terms of one-third of the trustees, or as near to one-third as possible, expire each year. Trustees serve without compensation, must be registered voters, and must reside in the district.

The Board convenes in the Dripping Springs High School auditorium at 6:00 p.m. twice monthly. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at least 72 hours before the scheduled meeting time. In emergencies, a meeting may be held with a one-hour notice. The meeting posting will be available at the central office and is also available on the district's website in [DSISD BoardBook](#).

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.

Administration

Dr. Holly Morris-Kuentz, Superintendent of Schools

Elaine Cogburn, Deputy Superintendent of Finance & Operations

Dr. Karen Kidd, Assistant Superintendent for Learning & Innovation

Catherine Knepp, Assistant Superintendent for Finance & Operations

Jennifer Edwards, Executive Director of Communications

Tiffany Duncan, Chief Human Resources Officer

John Crowley, Director of Child Nutrition

Sirena Cumberland, Director of Safety

Lucy Hansen, Director of Community Services

Nadine Hogan, Director of Special Services

Joseph Riggs, Director of Finance

Tisha Kolek, Director of Counseling & Health Services

Dr. Alicia Maphies, Director of Secondary Education

Clint Pruett, Director of Facilities & Construction

Kristen Ray, Director of Elementary Education

Pam Swanks, Director of Transportation

Cindi Wade, Director of Technology

Dr. Rhonda Whitman, Director of Assessment, Accountability, and Federal Programs

Galen Zimmerman, Director of Athletics

Angela Gamez, Principal, Dripping Springs High School

Angela Frankhouser, Principal, Dripping Springs Middle School

Kelly Miller, Principal, Sycamore Springs Middle School

Kellie Raymond, Principal, Cypress Springs Elementary School

Jamie Eubanks, Principal, Dripping Springs Elementary School

Steve Novickas, Principal, Rooster Springs Elementary School

Cody Spraberry, Principal, Sycamore Springs Elementary School

Maureen Jamail, Principal, Walnut Springs Elementary School

District Calendar



DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT SCHOOL CALENDAR 2022-2023

First Day of School
August 16

Last Day of School
May 26

Student Holidays
September 5
October 10
November 21-25
December 19-30
January 16
March 13-17

Weather Make-Up Days
April 7
April 21

Staff Development Days
August 8-15
October 31
November 1
January 2-3
February 20
May 30

Graduation
May 26

	First Day of School
	New Teacher Orientation
	Teacher Inservice
	Holiday
	Staff Development/Student Holiday
	PK-12 Early Release
	Weather Make-Up Day
★	Last Day of School
	District Closed
{ }	Grading Periods

JULY						
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SEPTEMBER						
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OCTOBER						
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JANUARY						
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MAY						
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JUNE						
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Employment

Equal Employment Opportunity

Policies DAA, DIA

In its efforts to promote nondiscrimination and as required by law, Dripping Springs ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, military status, genetic information, or any other basis prohibited by law. Additionally, the district does not discriminate against any employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

In accordance with Title IX, the district does not discriminate on the basis of sex and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate extends to employment. Inquiries about the application of Title IX may be referred to the district's Title IX coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The district designates and authorizes the following employee as the Title IX Coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment:

Karen Kidd, Assistant Superintendent for Learning & Innovation

510 West Mercer St.

Dripping Springs, TX, 78620

karen.kidd@dsisdtx.us

512-858-3040

Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability:

Nadine Hogan, Director of Special Services

510 West Mercer St.

Dripping Springs, TX, 78620

nadine.hogan@dsisdtx.us

512-858-3061

Questions or concerns relating to discrimination for any other reason should be directed to Human Resources or the Superintendent.

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on a regular basis to the [Careers - Apply Here](#) page of the district website.

Employment After Retirement

Policy DC

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed under certain circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment After Retirement*. Employees can contact TRS for additional information by calling 1-800-223-8778 or 512-542-6400. Information is also available on the TRS Website (www.trs.texas.gov).

Contract and At-Will Employment

Policy DC series

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

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

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

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

Noncertified Professional and Administrative Employees. Employees in professional and administrative positions that do not require SBEC certification (such as noninstructional administrators) may be employed at will or by a contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code. Method of employment is dependent upon the position.

Employees in certain Special Services professional positions that do not require SBEC certification may be employed by a Chapter 21 probationary or term contract as listed in [Board Policy DCB \(LOCAL\)](#).

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

Certification, Licenses, and Credentials

Policies DBA, DF

Professional employees whose positions require SBEC certification or a professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the HR Department (HRSupport@dsisdtx.us) in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify the HR Department (HRSupport@dsisdtx.us) when there is action against, or revocation of their license.

A certified employee's contract may be voided without Chapter 21 due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to renew or extend a temporary certificate, emergency certificate, probationary certificate, intern 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 HR (HRSupport@dsisdtx.us) if you have any questions regarding certification or licensure requirements.

Credentials. All employees who have earned certificates, endorsements, or degrees of higher rank since the previous school year should file with HR:

- (1) an official college transcript showing highest degree earned and date conferred; and/or
- (2) valid certificate or endorsement.

Related Services Professionals. A person may not be employed by the district as an audiologist, occupational therapist, physical therapist, physician, nurse, school psychologist, associate school psychologist, social worker, or speech language pathologist unless the person is licensed by the state agency that licenses that profession. A person may perform specific services within those professions for the district only if the person holds the appropriate credentials from the appropriate state agency.

Instructional Aides. Educational or instructional aides must be certified according to standards established by SBEC.

Bus Drivers and Dual-Assignment Coaches. A school bus driver, dual-assignment coach, or any employee whose duties require a commercial driver's license (CDL), must:

1. Be at least 18 years old.
2. Hold an appropriate class of driver's license for the vehicle being operated; possess a commercial driver's license (CDL), issued in accordance with Texas Transportation Code Chapter 522.
3. Meet the mental and physical capability requirements established by the Department of Public Safety (DPS) and annually pass a DPS-approved examination that reveals physical and mental capabilities to safely operate a school bus.
4. Have a driving record that is acceptable according to minimum standards adopted by DPS. A check of the person's driving record must be made with DPS annually.
5. Pass a pre-employment driver's license check with DPS, and maintain a driving record acceptable according to the standards prescribed by the State Board and DPS.
6. Have an acceptable criminal history record. If the district obtains information that a person has been convicted of a felony or misdemeanor involving moral turpitude, it may not employ the person to drive a school bus on which students are transported unless the employment is approved by the Board or the Board's designee.
7. Possess a valid certificate stating that the driver is enrolled in, or has completed, a driver training course in school bus safety education approved by DPS.

Recertification of Employment Authorization

Policy DC

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

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

Searches and Alcohol and Drug Testing

Policy CQ, DHE

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

personal items, and work areas including district-owned technology resources, lockers, and private vehicles that are parked on district premises or work sites, or that are used in district business.

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

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

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

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact HR (HRSupport@dsisdtx.us).

Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students [including but not necessarily limited to coaches, marching band directors, lead sponsors of an extracurricular athletic activity (including cheerleading), and PE teachers] must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, steroid use, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Athletic Director or appropriate supervisor by the first first day of instruction for each school year.

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 principals at the respective campuses; however, the superintendent has final placement authority including reassignments required by enrollment shifts or program changes.

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

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

Employees with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor, endorsed by the receiving supervisor, and approved by the superintendent. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by HR during the spring semester of each school year.

Workload and Work Schedules

Policies DEAB, DK, DL

A school calendar is adopted each year designating the work schedule for all permanent district employees. The calendar will show district work days, school holidays, and bad weather days. Employees will be notified of the required duty days, holidays, and hours of work for their position. Work calendars for all regular employees can be found on the [DSISD Team](#) page of the district's website.

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. 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 (Facilitators of Learning & Innovation) 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.

See the Overtime Compensation section of this handbook for additional information.

Absences and Late Arrivals

Employees must call their supervisors as soon as possible (or as defined by the campus or departmental handbooks or rules) any time they are going to miss work or arrive later than their regularly scheduled time. In cases of leave due to illness, a supervisor may request a medical certification form regarding the absence; it may also be requested in cases of chronic absenteeism or tardiness. Employees are expected to be at their assigned areas, ready to begin work, at the

beginning of their workday. Employees may be subject to disciplinary action, which could include termination, for excessive absences and/or tardies.

Breaks for Expression of Breast Milk

Policies DEAB, DG

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

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

Notification to Parents Regarding Qualifications

Policies DK, DBA

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

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notice under ESSA is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit and are not hired under the DSISD District of Innovation Plan. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status should contact the [Texas Education Agency](#) directly at (512) 463-9734.

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.

Any outside employment is not to interfere with an employee's performance of the duties required of his/her position with the district. District employees are not to solicit or sell any goods or services on school property except as may be approved by the principal and the superintendent. An employee may not have a personal financial interest, a business interest, or any other obligation

that in any way creates a substantial conflict with the proper discharge of assigned duties and responsibilities or that creates a conflict with the best interests of the district.

Performance Evaluation

Policy DN series, DK

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.

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

Employee Involvement

Policies BQA, BQB

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

Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees, each campus, and to maintain legal training compliance district-wide. Staff development is predominantly campus-based or department-based, related to achieving campus or department performance objectives addressed in the campus/department improvement plan and developed and approved by the district and campus-level advisory committees. Staff development for noninstructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

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

Compensation and Benefits

Salaries, Wages, and Stipends

Policies DEA, DEAA, DEAB

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek (the workweek begins on Sunday at 12:00 a.m. and ends on Saturday at 11:59 p.m.).

See the Overtime Compensation section of this handbook for additional information.

Salaries and wages are reviewed on an annual basis and adjusted according to Board approval. Classroom teachers, full-time librarians (Facilitators of Learning & Innovation), 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 compensation plan.

Employees should contact their supervisor or Payroll (512-858-3033 or 512-858-3056) for more information about pay or the district's pay schedules. The district's Compensation Plan and Compensation Plan Guidelines are available on the [DSISD Team](#) page of the district's website.

Payroll / Annualized Compensation / Paychecks

All professional and salaried employees are paid monthly. Hourly employees are paid twice per month.

The district pays all employees (other than non-permanent, seasonal, temporary, and substitute employees) over 12 months, regardless of the number of months the employee works. Beginning with the first pay period of the school year, an employee will receive his or her salary in equal monthly or bimonthly payments. All exempt employees are paid monthly on the 25th of the month. All nonexempt employees are paid semi-monthly on the 10th and the 25th of each month. If the 10th or the 25th falls on a weekend, then the paycheck is received on the previous Friday. At the holiday break in December, the check for the 25th will issue on the last workday before the holiday period. For exact pay dates, please see the respective Monthly Payroll or Semi-Monthly Payroll calendars on the [Payroll Dates](#) webpage.

Payroll payments are made via direct deposit for all employees. Direct Deposit forms are available in [TalentEd](#) in the Blank Docs section. Any physical paychecks issued during the school year are delivered to permanent employees at their campus or department and are mailed to substitute and temporary employees at their most current address. Paychecks will not be released to any person other than the district employee named on the check. During summer breaks, any

physical paychecks for employees (other than for permanent employees who work during the summer) will be mailed.

An employee's payroll statement (available online through [Employee Access](#)) contains detailed information including deductions, withholding information, and the amount of leave accumulated. Inquiries regarding logging in to Employee Access should be addressed to Payroll.

It is the employee's responsibility to check for accuracy of the payroll statement regarding the above information along with salary, benefits, bank information, etc. Employees should contact Payroll as soon as possible regarding any questions or possible inaccuracies with their paycheck.

Payroll Deductions

Policy CFEA

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

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

Employees may authorize any or all of the following deductions: premiums for group health, dental, life, vision, or other supplemental insurance, and Health Savings Account (HSA) offered through the district; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payment of membership dues to professional organizations and any other withholding category listed in CFEA (LEGAL). Salary deductions are automatically made for unauthorized or unpaid leave.

Completion of Weekly Time Sheets

Nonexempt ("hourly") employees are required to submit completed weekly time sheets for approval by their direct supervisor no later than Tuesday of the following workweek. Weekly time-sheet submissions must be accurate and punctual. Inaccurate or untimely submissions may be subject to disciplinary action.

Approving office personnel and supervising administrators must likewise review time sheets submitted for approval in a timely manner, no later than Thursday of the following workweek. Weekly review of timesheet submissions must be completed in the district's timekeeping system in a punctual manner.

Untimely approval practices may be subject to disciplinary action.

Overtime Compensation

Policy DEAB

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. 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 written approval from their supervisor.** A nonexempt employee who works overtime without prior approval will be subject to disciplinary action. For questions regarding requests for overtime, please contact your campus principal, supervisor, or Payroll.

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 must work more than 40 total hours in a week to earn overtime compensation.** For the purpose of calculating overtime, a workweek begins at 12:00 a.m. on Sunday and ends at 11:59 p.m. on Saturday.

Hours worked beyond the normal schedule up to 40 hours will be paid at a regular rate of pay. Nonexempt employees may be compensated for overtime (hours beyond 40 in a workweek) at time-and-a-half rate with compensatory time off (comp time), or direct pay as follows:

- Non-exempt employees working in an office or clerical setting will be compensated for overtime through the accrual of compensatory time off (comp time).
- All other nonexempt employees will be compensated for overtime through direct pay in accordance with the district's supplemental payroll schedule.

Compensatory Time Off (Comp Time)

Policies DEAB, DEC

The district has determined the following guidelines regarding the accrual and use of comp time:

- All nonexempt employees working in an office or clerical setting will be compensated for overtime through the accrual of comp time.
- All overtime worked must be pre-approved by the employee's supervisor.
- Comp time will be earned at the rate of 1.5 hours for every 1 hour of overtime worked.
- The use of comp time earned must be pre-approved by the employee's supervisor (just as other leave taken).
- Comp time must be used prior to any other available leave balances.
- Comp time may be accumulated up to a maximum of 40 hours per school year. All overtime earned in excess of 40 hours will be paid at a rate of time and one-half.
- All comp time balances will be paid off (at the rate of time and one-half) at the end of the district's fiscal year (June 30).

An employee must use comp time within the duty year in which it is earned. If an employee has any unused comp time remaining at the end of a fiscal year, the employee will receive overtime pay in lieu of the comp time.

Comp time may be used at either the employee's or the district's option. The district may require an employee to use comp time when in the best interest of the district. An employee wishing to use comp time may only do so in accordance with district leave policies and if such use does not unduly disrupt the operations of the district.

Travel Expense Reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the Board and the Internal Revenue Service. Employees must submit receipts as required by the Business Office to be reimbursed for mileage or allowable expenses other than mileage.

Health, Dental, and Life Insurance

Policy CRD

Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school employee health insurance program, and through the Texas Schools Health Benefits Program (TSHBP), an alternative program made possible through the DSISD District of Innovation Plan. The district's contribution to employee insurance premiums is determined annually by the Board and based on the employees who are active, contributing TRS members. Employees eligible for health insurance coverage include the following:

- Employees who are active, contributing TRS members; and
- Employees who are not contributing TRS members and who are regularly scheduled to work at least 10 hours per week (such employees are eligible only for TRS-based plans).

The district contributes to employee health care insurance premiums for those full-time or part-time employees who are currently making retirement contributions to the Teacher Retirement System of Texas (TRS) and who are enrolled in one of the *TRS-ActiveCare* or TSHBP plans.

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.

Employees who are not contributing TRS members but who are regularly scheduled to work 10-19 hours per week are eligible to participate in TRS-ActiveCare at the full cost of the health insurance coverage premiums. This includes substitute teachers. TSHBP plans do not allow enrollment of non-TRS contributing employees.

The insurance plan year is September 1 through August 31. New employees must complete benefits enrollment within the first 30 days of employment. Current employees may make changes to their insurance coverage during open enrollment each year or when they experience a qualifying event mid-plan year (such as a birth, death, marriage, divorce, adoption, and some losses of other group coverage). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet and/or online on the district

website. Employees should contact HR (HRSupport@dsisdx.us) or review the [DSISD Team](#) page on the district's website for more information.

Supplemental Insurance Benefits

Policy CRD

At their own expense, permanent district employees who are regularly scheduled to work at least 20 hours or more per week may enroll in supplemental insurance programs (such as, dental, vision, disability income protection, term life, cancer, vision, etc.). Premiums for these programs can be paid by payroll deduction. Employees should contact HR or review the [DSISD Team](#) page on the district's website 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 (medical, dental, vision, hospital indemnity, accident, cancer, Health Savings Account, Flexible Spending Account, Dependent Care Flexible Spending Account).

New employees must accept or reject this benefit during the first month of their employment. Eligible employees may enroll in or disenroll from these benefits during the specified annual enrollment period, or upon a qualifying change in status (e.g., marriage, birth, divorce, etc.).

403(b) Retirement Savings

This benefit allows all employees to save designated amounts out of their paycheck “before tax” and place them into a variety of mutual funds, variable annuities, and fixed annuities. All funds grow tax-deferred until withdrawn and are intended to supplement the TRS Pension Plan.

For more information about 403(b) retirement plans, employees can visit the [Financial Planning](#) tab on the FBS Employee Benefits Portal and read the Plan Information and FAQ sections.

Instructions for enrolling in a 403(b) can be found on the [DSISD Team](#) page of the district's website, under the “403(b) Account – Financial Planning” tab. For more information contact NBS Financial Planning at 1-800-274-0503.

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 who are injured on the job while in the course and scope of their employment with the district. 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. The district has workers' compensation coverage from the Texas Association of School Boards Risk Management Fund (TASB RMF), effective 9/1/1980.

All work-related accidents or injuries should be reported immediately to HR by the employee's supervisor or designee using the online First Report of Injury Form. The HR Team will then complete the initial claim using information provided by the injured employee and/or witnesses to the injury.

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 the Workers' Compensation Benefits section of this handbook for information on use of paid leave for such absences.

Unemployment Compensation Insurance

Policy CRF

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact HR or the [Texas Workforce Commission](#) directly.

Teacher Retirement

Policy DEC

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). Substitute teachers 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 that agency and HR as soon as possible. Information on the application procedures for TRS benefits is available through TRS by mail at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, by calling 1-800-223-8778 or 512-542-6400, or online at www.trs.texas.gov.

See Employment After Retirement section within this handbook for information on restrictions of employment of retirees in Texas public schools.

An employee who retires from employment with the district may be eligible for reimbursement for local leave as long as the employee's retirement is voluntary (i.e., the employee is retiring under TRS, and he or she is not being discharged or nonrenewed). If eligible, the retiring employee will be reimbursed for each day of local leave at a rate established by the Board. Currently, the Board has adopted the following rates of pay: (1) a retiring exempt employee will be paid \$50.00 per day for each day of accrued local leave; and (2) a retiring nonexempt employee will be paid \$30.00 per day for each day of accrued local leave. The rates established by the Board will be in

effect until the Board adopts new rates. Any changes to the rates will apply beginning with the school year following the adoption of the rate change.

If the employee is re-employed with the district, days for which the employee received payment will not be available to that employee.

Child Care

The Child Development Center (the CDC) is a child-care center for children ages 6 weeks to 3 years and is available to all employees on a first-come-first-served basis, subject to class-size limitations. The CDC is located on-site at central office. Tuition is charged based on the age of the child, and children may be placed on a waiting list before acceptance if there is currently no availability in the appropriate classroom.

Employees interested in enrolling their child(ren) in the CDC should contact 512-858-3019. The CDC is a branch of the Community Services Department.

Out-of-District Transfers of Employees' Children

Policy FDA

Children of nonresident district employees who are employed at least four hours per day may attend district schools tuition free, subject to availability. District [transfer forms](#) are available on the district's website and must be submitted on an annual basis.

Children of district employees are subject to all provisions of this policy and may have their transfers revoked on the same basis as revocations involving other nonresident students.

Leaves and Absences

Policies DEC, DECA, DECB

General Leave Benefit Information

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. Specific definitions and leave parameters as approved by the Board may be found in the DSISD Policy Manual at DEC (LOCAL) and in the Administrative Procedure for Leaves and Absences. Both are available on the district's website.

Employees who expect to be absent for a period of more than five (5) days should discuss that absence with their direct supervisor pursuant to campus/department protocols and call HR for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district. **Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form(s) or certification(s). Any unapproved absences or absences beyond accumulated or available paid leave will result in deduction from the employee's pay.**

Increments of Leave. All accrued paid leave must be used before unpaid leave will be granted. Unpaid discretionary leave is subject to the approval of the employee's immediate supervisor. Paid leave must be taken in the increments described below:

1. For exempt positions, leave is recorded in half-day increments.
2. For nonexempt positions for which a substitute is normally required, leave is recorded in half-day increments, even if a substitute is not employed.
3. For nonexempt positions for which a substitute is not normally required, leave is recorded on an hourly basis.
4. If the employee is taking intermittent FMLA leave, leave is recorded in one-hour increments for FMLA tracking purposes.
5. If the employee chooses to offset leave against workers' compensation benefits, leave is recorded in the amount used.

Order of Use. Earned compensatory time off (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, as applicable:

1. Local leave.
2. State sick leave accumulated before the 1995–96 school year.
3. State personal leave.

Leave decisions may not be changed by the employee once Payroll has processed and posted the leave. Employees must contact Payroll at the time leave is taken if they wish to take leave other than in the order listed above.

Use of sick leave bank days is permitted only after all compensatory time, available state leave, and available local leave have been exhausted. Use of sick leave bank days is subject to eligibility and participation in that program, as well as sick leave committee approval and grant of paid days.

Use of Hardship Leave is permitted only after all compensatory time and available forms of paid and unpaid leave have been exhausted. Individual cases of Hardship Leave are subject to approval by the Board of Trustees.

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

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

For purposes of Family and Medical Leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin. These definitions are found in Policy DECA (LEGAL).

Medical Certification. An employee must submit medical certification of the need for leave 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 if:

1. the employee is absent more than five consecutive workdays because of personal illness or illness in the immediate family;
2. the district requires medical certification due to a questionable pattern of absences;
3. the employee requests Family and Medical Leave for the employee's serious health condition or that of a spouse, parent, or child; or
4. the employee requests Family and Medical Leave for military caregiver purposes.

A medical certification form is found at Appendix C of this handbook, at the [HR website](#) under "forms," or can be provided by the HR office upon request.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, employees and health care providers should 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 or are not otherwise on active payroll status. In addition, during unpaid leave, employees do not continue to accrue leave.

Under TRS-ActiveCare and TSHBP rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than while on Family and Medical Leave. If an employee's unpaid leave extends for more than six months, the TRS ActiveCare COBRA Administrator or TSHBP's COBRA Unit (as applicable) will provide the employee with notice of COBRA rights.

State Personal Leave

State law entitles all employees to five (5) days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee's usual assignment, whether full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

Nondiscretionary. Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advanced planning. Nondiscretionary leave may be used in the same manner as state sick leave. Employees should notify their supervisor as soon as possible regarding nondiscretionary leave. A medical certification form may be required depending on the reason for use of personal days for nondiscretionary 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 notice of the request as soon as possible, at least five (5) workdays in advance of the anticipated absence, to his or her principal or supervisor.

Discretionary personal leave will be granted on a first-come, first-served basis, and the principal or supervisor will consider the effect of the employee's absence on the educational program or department operations, as well as the availability of substitute teachers before granting discretionary leave requests. **Discretionary use of state personal leave may not exceed five (5) consecutive workdays.**

Limitation on Use of Personal Days

Professional Learning and Planning Days. Professional learning and planning days for staff are vital to attaining the vision and mission of the district. In the few days carved out for professional learning and planning per year, all staff are expected to attend work. Use of personal days will

generally not be approved during professional learning and planning days unless there are extenuating circumstances.

Leave Proration. If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year, at the employee's full daily rate. Employees will be charged for leave as used even if a substitute is not employed.

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 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 employee's immediate family
- Active military service

Local Leave

Local Leave. Terms and conditions for the use of local leave are the same as those for state personal leave. (See State Personal Leave, above.) Local leave is available for use at the beginning of the year, and accumulates without limit. If an employee uses more local leave than he or she has earned, an amount equal to the employee's daily rate of pay times the number of local leave days used but not earned will be deducted from one or more of the employee's paychecks.

Eligible employees (those who contribute to TRS) earn paid local leave days each year at the rate of one-half of one workday of leave for each 18 days worked, up to a maximum as shown in the table below:

<u>Months of Service Required</u>	<u>Number of Workdays of Leave Earned Per Year</u>
10 months	Five workdays
11 months	Six workdays
12 months	Seven workdays

Local Leave at Retirement. An employee who retires from employment with the district may be eligible for reimbursement for local leave as long as the employee's retirement is voluntary (i.e., the employee is retiring under TRS, and he or she is not being discharged or nonrenewed). If eligible, the retiring employee will be reimbursed for each day of local leave at a rate established by the Board. Currently, the Board has adopted the following rates of pay: (1) a retiring exempt employee will be paid \$50.00 per day for each day of accrued local leave; and (2) a retiring nonexempt employee will be paid \$30.00 per day for each day of accrued local leave. The rates established by the Board will be in effect until the Board adopts new rates. Any changes to the

rates will apply beginning with the school year following the adoption of the rate change. If the employee is re-employed with the district, days for which the employee received payment will not be available to that employee.

Holidays. Holidays are approved by the Board annually for each position. The district provides no paid holidays. Bad weather make-up days are considered holidays until defined as an instructional day by the Board or designee.

Excess Days. All exempt, 12-month employees, and nonexempt, 12-month employees working on a 226-day work calendar, as defined in policy DED (LOCAL), have nonscheduled, non-duty days called “excess days.” These unpaid days are the excess remaining days in the year after holidays and scheduled duty days have been satisfied. “Excess” is defined as the total number of workdays on the district calendar year less the employee’s contracted or assigned number of workdays and any scheduled holidays.

Employees are expected to use the excess days available to them in a school year by June 30 of that year. Employees may carry over a maximum of four (4) unused excess days from one school year to the next school year. Unused excess days that are carried over from one school year must be used by June 30 of the next school year. Unused excess days at the end of the school year, in excess of the maximum number of days allowed to be carried over, are lost and the employee forfeits any right to monetary compensation or any other compensation for those days. Unused excess days do not include any excess days that an employee has worked, and for which the employee received compensation.

Scheduling of employees’ use of excess days must be approved by their immediate supervisors.

Vacation Days. Upon completion of one year of continuous service, a nonexempt, at-will employee in a 12-month position (except those working on a 226-day work calendar) who works 50% or more of every workday, is eligible to earn vacation leave. Eligible employees will earn vacation days at the rate of one workday for each 18 workdays of employment, up to 10 days of vacation annually.

Vacation days shall be available at the beginning of each fiscal year (July 1). However, if the individual ends employment with the district prior to earning the number of vacation days used, an amount equal to the daily rate of pay times the number of days used but not earned will be deducted from the employee’s final paycheck.

Time during which an employee is not physically working beyond accrued paid leave does not count toward accumulation of vacation days (except for an employee on Family and Medical Leave). Any unearned vacation taken by an employee must be deducted from the employee’s paycheck.

Vacation leave may not accrue beyond a maximum of 15 vacation days. If an employee has a balance of more than 15 vacation days at the end of the fiscal year, the employee may carry the excess vacation days over into the next fiscal year but must use the excess vacation days by August 31. Any vacation days earned in the previous fiscal year shall be forfeited if not used by August 31.

Upon separation of employment from the district or if the employee is reassigned to a 10- or 11-month position, the employee shall be compensated at the employee's current daily rate of pay for each vacation day earned up to 15 vacation days. The employee shall not receive monetary compensation for earned but unused vacation days beyond the 15-day limit.

An employee's use of vacation days must be approved by his/her immediate supervisor, who must consider the effect of the employee's absence on the educational program or district operations when approving use of vacation days.

If an employee has a balance of more than 15 vacation days, his/her supervisor is expected to permit the employee to use any vacation days earned beyond the maximum accumulation limit that the employee would otherwise forfeit as described above.

Sick Leave Bank

The sick leave bank is a voluntary program for both part-time and full-time employees. Eligible employees who are members of the bank and have experienced a medically certifiable catastrophic mental or physical illness or injury and have exhausted all paid leave, may apply to withdraw a maximum of 30 days of sick leave from the bank per school year. This benefit allows continuation of pay during the catastrophic event. Sick leave bank requests are evaluated by a Sick Leave Bank Committee comprised of employees from departments and campuses across the district.

To be eligible for membership, an employee:

1. Must be eligible to accrue state personal and local leave at Dripping Springs ISD.
2. Must be a regular employee of the district (regular employee is defined as an employee who is required to work at least twenty hours per week, and at least four and one-half months each fiscal year).
3. May enroll as a new member of the sick leave bank only during the open enrollment period, or within 30 days of initial employment by the district.
4. Must contribute 1 day of state personal or local leave to the sick leave bank. The required contribution of 8 hours will apply to both full-time and part-time employees.

Open enrollment for membership in the sick leave bank occurs annually at the beginning of each school year. The membership application may be found at Appendix L. The deadline for application submission each year is the close of business on the last Friday in September or as specified each school year by HR. Applications are submitted to HR.

In addition to this benefit option, Family and Medical Leave, local leave, and other benefit entitlements are in place, including the option to obtain a disability insurance policy through Financial Benefit Services (the district's third-party administrator for supplemental benefits).

Family and Medical Leave Act (FMLA) and Local Procedures for Enacting FML

The complete FMLA notice, *Employee Rights under the Family and Medical Leave Act*, is found within this handbook at Appendix D.

Eligibility Requirements. Employees must meet certain criteria in order to be eligible for FMLA leave. To be eligible for FML, the employee must:

1. have been employed by the district for at least 12 months; and
2. have worked at least 1,250 hours in the 12 months before taking leave.

Leave Entitlements. Eligible employees can take up to 12 weeks of unpaid, job-protected FML during the 12-month period, which is measured forward from the date an individual employee's first FML begins.

FML may be taken for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

Military Family Leave Entitlements. An eligible employee whose spouse, child, parent, or next of kin is on covered active duty or called to covered active duty status may use his or her 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, rest and recuperation, parental care, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement for military caregiver leave that permits eligible employees who are a covered servicemember's spouse, child, parent, or next of kin to take up to 26 weeks of leave during a single 12-month period to care for the service member with a serious illness or injury.

Requesting Leave. When the need for FML is foreseeable, employees who want to use it must provide 30-day advance notice of their need. An FML request form is found at Appendix D. Employees may either submit the form to HR, or call or email an HR staff member to request FML. When the need for leave is not foreseeable, employees must comply with normal campus or departmental call-in procedures and must contact HR as soon as practicable.

Employees do not have to share a medical diagnosis, but must provide enough information to the district so it can determine if the leave qualifies for FMLA protection. Sufficient information could include that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary, or circumstances supporting the need for military family leave. Employees also must inform the district if the requested leave is for a reason for which FML was previously taken or certified. Employees also are required to provide a certification and periodic recertification supporting the need for leave as requested by the district.

Employer Responsibilities. The district must inform employees requesting leave whether they are eligible under 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.

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

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

FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right protected under FMLA; discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. 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. For additional information, you may contact 1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627 or visit the DOL website at: www.wagehour.dol.gov.

Continuation of Benefits. Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave. Depending on the needs of the district, instructional employees who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employee's group health insurance and reinstate the employee at the end of the leave according to the procedures outlined in policy (see [DECA \(LEGAL\)](#) and the Administrative Procedure for Leaves and Absences).

Use of FML cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. However, an employee must continue to pay his or her portion for any health care premiums just as the employee did before FML.

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

Combined Leave for Spouses. Spouses who are 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.

Medical Certification for Leave. Employees will be required to provide medical certification from a qualified health-care provider, supporting the need for leave due to a serious health condition affecting the employee or an immediate family member. The ability of the employee to return to work must also be medically certified. In addition, periodic reports or recertification of the health status of the employee or family member may be required. An employee medical certification form is available at Appendix C. A family member medical certification form is available from HR.

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 his or her 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 three 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.

End-of-Term Leave Considerations. When an instructional employee requests leave near the end of a semester, the district may impose the following restrictions on the timing of a return to duty:

1. If the leave begins more than five weeks before the end of the semester, the district may require the employee to continue taking leave to the end of the semester if the leave will last at least three weeks and the return to employment would occur during the three-week period before the end of the semester.
2. If the leave begins during the five weeks before the end of the semester and is for a purpose other than the employee's own serious health condition, the district may require the employee to continue taking leave until the end of the semester if the leave will last more than two weeks and return to employment would occur during the two-week period before the end of the semester.
3. If the leave begins during the three weeks prior to the end of the semester for a purpose other than the employee's own serious health condition, the district may require the employee to continue to take leave until the end of the semester.

Fitness-for-Duty Certification. If an employee takes FML due to the employee's own serious health condition, the employee must provide, before resuming work, a fitness-for-duty certification from the healthcare provider. The certification must address the employee's ability to perform

essential job functions, and the district will provide a list of essential job functions (job description) to the employee with the FMLA designation notice to share with the healthcare provider.

Fitness for duty certification is not required when an employee returns to work following leave to care for a family member with a serious health condition; to care for a child following birth, adoption, or foster care placement; or for qualifying exigency leave.

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

District Contact. Employees that require FML or have questions should contact HR for details on eligibility, requirements, and limitations (HRSupport@dsisdtx.us).

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. The district requires an employee to use temporary disability leave and paid leave concurrently with Family and Medical Leave.

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to his or her own medical condition will be accepted as a request for temporary disability leave. Such notification will be processed by HR as a request for temporary disability leave and then be given to the superintendent for approval. 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 may be no longer than 180 calendar days.

In certain circumstances, based on the superintendent's recommendation that an employee be involuntarily placed on temporary disability leave, the Board may place an employee on temporary disability leave if it determines, in consultation with the physician who performed the medical examination, that the educator's condition interferes with the performance of regular duties. If an employee is placed on temporary disability leave involuntarily, he or she has the right to request a hearing before the Board. The employee may protest the action and present additional evidence of fitness to work.

When an employee is ready to return to work, HR should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. 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 (7) calendar days. Please note that workers' compensation is not a form of leave and that the workers' compensation law does not require the continuation of the district's contribution to health insurance. An absence due to a work-related injury or illness will be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

Employees should refer to Appendix B for important procedures to follow when injured on the job; failure to follow these procedures may result in costs to the employee.

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

Assault Leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An incident involving an assault is a work-related injury, and should be immediately reported to HR by the employee's supervisor as outlined in Appendix B.

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.

Hardship Leave

Upon the recommendation of the superintendent, the Board may grant an employee an unpaid hardship leave for a period not to exceed one year for the alleviation of hardship resulting from a natural disaster or similar devastating, life-changing event involving the employee or a member of the employee's immediate family. Hardship leave may be granted only after all other applicable leave has been exhausted. During hardship leave, the employee will be in unpaid status, which may affect eligibility for district benefits, depending on the length of the unpaid hardship leave.

An employee requesting hardship leave must indicate on the application an anticipated return date. In case of an extended absence, the employee is required to notify the district of the intended return date at least 30 days in advance. Procedures and application for Hardship Leave can be found on the employee Forms tab of the district website (www.dsisdtx.us/hrforms), or by contacting HR (HRSupport@dsisdtx.us).

Bereavement Leave

Employees are granted up to three paid local bereavement leave days per occurrence for a death in the immediate family, as defined in Policy DEC (LOCAL). Bereavement leave does not accumulate. Such leave will be taken with no loss of pay or other paid leave. Procedures for Bereavement Leave can be found on the employee Forms tab of the district website (www.dsisdtx.us/hrforms), or by contacting HR (HRSupport@dsisdtx.us).

Jury Duty

Policies DEC, DG

The district provides paid leave to employees who are summoned to jury duty including service on a grand jury. The district will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received along with a copy of the summons to document the need for leave.

Employees are required to report back to work as soon as they are released from jury duty. For example, an employee released from jury duty in the morning must typically report to the workplace for the remainder of the day, taking into account the travel time required from jury duty to work. However, positions requiring a substitute teacher may report back to work on the following day. A copy of the release from jury duty or documentation of time spent at the court is also required to document leave (e.g., a certification of service).

Compliance with a Subpoena

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Absences due to compliance with a valid subpoena will be fully compensated by the district and will not be deducted from the employee's pay or leave balance. Employees are required to submit documentation of their need for leave for court appearances. However, other court appearances, such as a request by the court to appear for personal business, will not be paid by the district; rather, any available state personal leave, local leave, or vacation leave must be used. If no paid leave is available, any time missed for other court appearances described will be processed as unpaid leave.

Truancy Court Appearances

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

Religious Observance

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

Military Leave

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

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

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

Employee Relations and Communications

Employee Recognition and Appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at Board meetings, in the district newsletter, and through special events and activities on campus-wide, department-wide, and district-wide levels.

District Communications

Throughout the school year, the Communications Department publishes various newsletters, brochures, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

Open-Door Communications. The effective and efficient operation of a progressive school district depends upon open communication and input from employees. The ability to get along with others and the ability to work as a team are essential for the continued success of the district. Employees are encouraged to discuss instructional concerns or work ideas with their supervisor or appropriate committee or council. Concerns involving another employee should be discussed with that person first if possible, then the appropriate supervisor, if necessary.

Solicitation is generally prohibited on district campuses (Appendix K-Solicitation Guidelines).

Employee Complaints and Grievances

Policy DGBA

In an effort to hear and resolve employee complaints in a timely manner and at the lowest administrative level possible, the Board has adopted an orderly process that all employees must follow when bringing formal complaints and grievances. Employees are encouraged to discuss problems or complaints with their supervisors or an appropriate administrator informally at any time.

It is recognized that there may be an occasion for a more formal process to resolve a particular work-related problem. Assuming employees file a timely grievance that adheres to [Board Policy DGBA \(LOCAL\)](#), the formal grievance 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 grievance procedures are exhausted, employees can bring grievances to the Board.

For ease of reference, the district's policy concerning the process of bringing concerns and complaints is available in Appendix E of this handbook.

Employee Conduct and Welfare

Standards of Conduct

Policy DH

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation, may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent first learns of the incident.

The *Educators' Code of Ethics*, adopted by the State Board for Educator Certification, which all district employees must adhere to, is reprinted in Appendix F (see also *Reports to the Texas Education Agency* section of this handbook for additional information).

Discrimination, Harassment, and Retaliation

Policies DH, DIA

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, or students. Harassment of or discrimination or retaliation against a coworker or student motivated by race, color, religion, gender, national origin, disability, or age is prohibited by law. 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 of or discrimination or retaliation against a student or employee will result in disciplinary action.

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

Any district employee who believes that he or she has experienced prohibited conduct based on sex, including sexual harassment, or believes that another employee has experienced such prohibited conduct, should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor, the campus principal, the Title IX coordinator, or the superintendent. The district's Title IX coordinator's name and contact information is listed in the *Equal Employment Opportunity* section of this handbook.

The district's policy ([Board Policy DIA \(LOCAL\)](#)) that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is reprinted in Appendix G of this handbook.

Harassment of Students

Policies DH, DHB, FFG, FFH, FFI

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited.

Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. Any district employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct based on sex, including sexual harassment, of a student shall immediately notify the district's Title IX coordinator, the ADA/Section 504 coordinator, or superintendent and take any other steps required by district policy.

All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or has reasonable cause to believe that child abuse or neglect occurred must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See the sections *Reporting Suspected Child Abuse* and *Bullying* within this handbook for additional information. The district's policy ([Board Policy FFH \(LOCAL\)](#)) that includes definitions and procedures for reporting and investigating harassment of students is reprinted in Appendix H.

Reporting Suspected Child Abuse

Policies DG, FFG, GRA

Employee Responsibilities for Reporting Suspected Child Abuse. All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law

to make a report to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS.

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

State law specifies that an employee may not delegate to or rely on another person or administrator to make the report. Reporting your suspicion to a school counselor, a principal, or another school staff member does NOT fulfill your responsibilities under the law. Furthermore, the District cannot require you to report your suspicion first to a school administrator.

Where and How to Report. Reports to Child Protective Services can be made:

- to a local law enforcement agency: Hays County Sheriff's Office, (512) 393-7896
- online at <https://www.txabusehotline.org/Login/Default.aspx>; or
- to the Texas Abuse Hotline (800-252-5400).

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

Immunity from Liability. Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from taking an adverse employment action against 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.

Report Is Confidential. State law requires that the identity of a person making a report of suspected child abuse or neglect be kept confidential and may be disclosed only to a law enforcement officer for the purposes of a criminal investigation of the report, or as ordered by a court.

Failure to Report. An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

DSISD Local Reporting Is Also Required. 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.

Cooperation with Investigator Required. 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.

School personnel must cooperate fully and may not interfere with an investigation of reported child abuse or neglect. State law specifically prohibits school officials from:

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

Sexual Abuse and Maltreatment of Children

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed [HERE](#). As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or otherwise maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who has reasonable cause to believe 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 following the procedures described above in *Reporting Suspected Child Abuse*.

Reporting Crime

Policy DG

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

Scope and Sequence

Policy DG

If a teacher determines that students need more or less time in a specific area to demonstrate proficiency in the Texas Essential Knowledge and Skills (TEKS) for that subject and grade level, the district will not penalize the teacher for not following the district's scope and sequence.

The district may take appropriate action if a teacher does not follow the district's scope and sequence based on documented evidence of a deficiency in classroom instruction. This

documentation can be obtained through observation or substantiated and documented third-party information.

Technology Resources

Policy CQ

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

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

Email. Electronic mail (email) transmissions and other use of technology resources are not confidential and can be monitored at any time to ensure appropriate use. All email accounts will be assigned by the Technology Department. Email messages are generally considered transitory documents and are subject to the district email retention procedure of 365 days; in other words, messages are removed from mailboxes and archives after 365 days, unless held for legal purposes. It is the responsibility of each individual to manage his or her email account; this responsibility includes archiving and organizing any administratively valuable messages outside of Gmail and deleting messages as appropriate.

Employees are required to abide by the provisions of the district's acceptable-use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action.

An employee who loses or damages a district-owned technology device issued to him or her is responsible for the replacement cost of that device, less any amount the district's insurance will cover. The district may deduct the cost of the device from the employee's paycheck, either in whole or in monthly increments as arranged with Payroll.

Employees with questions about computer use and data management can contact Technology at helpdesk@dsisdtx.us or 512-858-3035. Please see Appendix J for important technology acceptable-use guidelines.

Personal Use of Electronic Communications

Policy CQ, DH

Electronic communications include all forms of social media, such as text messaging, instant messaging, electronic mail (email), web blogs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic communications also

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

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

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee must limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee may not use the district's logo or other copyrighted material of the district without express, written consent.
- The employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
 - Confidentiality of student records. [See [Policy FL](#)]
 - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See [DH \(EXHIBIT\)](#)]
 - Confidentiality of district records, including educator evaluations and private email addresses. [See [Policy GBA](#)]
 - Copyright law [See [Policy CY](#)]
 - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See [DH \(EXHIBIT\)](#)]

Employees should refer to and follow the DSISD Social Media Guidelines found in **Appendix P** of this handbook.

Electronic Communications between Employees, Students, and Parents

Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below.

Electronic communications between all other employees and students who are enrolled in the district are prohibited.

Employees are not required to provide students with their personal phone number or email address.

An employee is not subject to the provisions regarding electronic communications with a student to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

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

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

- *Electronic communications* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes email, text messages, instant messages, and any communication made through an internet website, including a social media website or a social networking website.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a communication; however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a communication.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers. This includes persons hired through District of Innovation for any of these listed positions.

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

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
- Only a teacher, trainer, or other employee who has an extracurricular duty may use instant or text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee with extracurricular duties who communicates with a student using text messaging shall comply with the following protocol:
 - The employee shall communicate with students via text messaging only as necessary and only with those students actively participating in the extracurricular activities the employee oversees;
 - All communications to students via text messaging, just as all other electronic communication, must be limited to matters within the scope of the employee's professional extracurricular responsibilities; and
 - The employee must honor any parent preference or request that his or her child not receive one-to-one electronic communications from employees and must organize an acceptable alternative means of conveying information to those students and/or parents; and
 - When feasible, employees are encouraged to utilize group messaging or group messaging applications when conveying extracurricular activity information to participating students (examples commonly used and of no cost to the users include Remind and GroupMe)
- The employee is required to limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.
- The employee may not communicate directly with any student between the hours of 10:00 p.m. and 7:00 a.m. unless the communication is related to a school-sponsored event occurring during those hours. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics, including:
 - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records [See Policies [CPC](#) and [FL](#)]
 - Copyright law [See [Policy CY](#)]
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student [See [Policy DH](#)]

- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.
- Upon written request from a parent or student, the employee must discontinue communicating with the student through email, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- All staff are encouraged to use school email accounts for electronic communications with parents regarding school issues, as other forms of electronic media (such as text messages) cannot be preserved in accordance with the district's record retention policy.
- An employee shall notify his or her supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

Public Information on Private Devices

Policy DH, GB

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

Reasonable efforts may include:

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

Criminal History Background Checks

Policy DBAA

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

Employee Arrests and Convictions

Policy DH

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

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

Moral turpitude includes the following:

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

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

Alcohol- and Drug-Abuse Prevention

Policy DH

Dripping Springs ISD is committed to maintaining an alcohol-free 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 employee notice regarding alcohol and drug-free schools is located at Appendix I [Policy [DH \(LOCAL\)](#)].

Tobacco Products and E-Cigarette Use

Policies DH, FNCD, GKA

State law prohibits smoking, using tobacco products, or e-cigarettes (or any other electronic vaporizing device of a similar nature) 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, using tobacco products, or e-cigarettes while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

Fraud and Financial Impropriety

Policy CAA

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include, but are not limited to, the following:

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

Conflict of Interest

Policy CB, DBD

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

This includes the following:

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

Employees should contact their supervisor for additional information.

Gifts and Favors

Policy DBD

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

Copyrighted Materials

Policy CY

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

Associations and Political Activities

Policy DGA

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

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

The district encourages personal participation in the political process, including voting. Employees who need to be absent from work to vote during the early voting period or on election day must communicate with their immediate supervisor prior to the absence, following the procedure for requesting discretionary leave.

Charitable Contributions

Policy DG

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

Safety

Policy CK series

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

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

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

While driving on district business, employees are required to abide by all state and local traffic laws. Employees driving on district business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion.

Employees will exercise care and sound judgment when driving on district business or in district-owned vehicles on whether to use hands-free technology while the vehicle is in motion. **When driving a school bus, use of both electronic devices and hands-free technology is prohibited**

while the school bus is in motion. Failure to abide by safety procedures and directives may result in disciplinary action.

Employees with questions or concerns relating to safety programs and issues can contact the district's Director of Safety, Sirena Cumberland (sirena.cumberland@dsisdx.us).

Communicable Diseases

Policy DBB

General Requirements. Employees with communicable diseases shall follow recommendations of public health officials regarding contact with students and other employees. Food service workers shall comply with health requirements established by city, county, and state health authorities. Bus drivers shall comply with legal requirements.

Specific COVID-19 Requirements. All employees shall follow adopted DSISD Safety Protocols Related to COVID-19 for the current school year. These protocols will be distributed to employees digitally at the outset of the school year and are subject to frequent changes as new health and safety information or guidance develops. These referenced safety protocols must be adhered to in the same manner as all expectations printed directly within this handbook.

Possession of Firearms and Weapons

Policies DH, FNCG, GKA

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun, may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district-provided parking area, provided the handgun or firearm or ammunition is properly stored, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or contact Director of Safety, Sirena Cumberland (sirena.cumberland@dsisdx.us) immediately.

For any situation that appears to be a health or safety emergency, please bypass these non-emergency protocols and contact 911 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 central 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 near the front entrance of each building. 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 electronic means. Pest control information sheets are available from campus principals or facility managers upon request.

Dress and Appearance

Policy DH

The dress and grooming of district employees must be clean, neat, professional, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the superintendent.

Proper Identification: Employee Badges. All employees are issued picture badges for identification. Employees must wear badges in a visible spot on their person at all times when on district property in their capacity as district personnel.

Lost badges are replaced at the expense of the employee at \$5.00 per badge. Badges that are cracked or broken while on the job or through every-day wear and tear will be replaced at no cost to employees who submit the damaged badge to HR.

Upon separation from employment, identification badges must be submitted on the departing employee's last day of work as part of district property issued.

General Procedures

Emergency School Closing

The district may close schools because of severe weather, epidemics, or other emergency conditions. When such conditions exist, the superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on the district's website and notify local radio and television stations. In addition, in the case of late openings or cancellation of school, all employees and substitutes will receive an automated phone call from Skyward.

If the district remains open and an employee is prevented from reporting to work due to weather-related problems, leave will be deducted through use of comp time or use of personal, vacation, or excess leave as appropriate.

Severe Weather. If the district closes for an entire workday due to severe weather conditions, no employees are required to report to work during full-day district closure. However, employees may be required to work an exchange day (e.g., a bad-weather day), make up the work hours not worked due to the closure within the same pay cycle, or receive one less day's wages per each day of closure that occurs. How the lost work time will be made up will be determined per full-day closure occurrence by central office administration and, if necessary, by Board action. Notice regarding which make-up option will be used will be provided as soon as possible by central office administration after each full-day closure occurrence.

If the district start time is delayed due to severe weather, some departments and employees may be required to report according to their normal work schedule, depending on the duties held and needs of the district (e.g., central and campus administration, maintenance, grounds, transportation, etc.). Please review department- or campus-specific protocol regarding delayed openings and reporting for duty.

Emergencies

Policies CKC, CKD

All employees should be familiar with the safety procedures for responding to emergencies, including a medical emergency. Employees should locate evacuation diagrams posted in their work areas and be familiar with shelter in place, lockout, and lockdown procedures described in the DSISD Standard Response Protocols (See Appendix N). 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 electronically to the Business Services department using the district's purchase order (PO) system with the appropriate approvals. 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 Business Services for additional information on purchasing procedures.

Personal Property Liability

The district cannot assume responsibility for damage and/or loss of personal property including that of private vehicles using district parking spaces. The liability and responsibility for any personal property rests with the employee, therefore adequate supervision of and/or insurance coverage for personal property on district grounds is recommended.

Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the district if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. Employees should use [Employee Access](#) to update their mailing address and telephone numbers. Educators are also required to keep the Texas Education Agency (TEA) advised of any profile/account information changes by visiting the [Educator Certification Online System](#).

Personnel Records

Policy DBA, GBA

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal email is confidential and may not be released without the employee's permission.

Employees may choose to have the following personal information withheld:

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

The choice to not allow public access to this information, or to change an existing choice, may be made at any time by submitting a written request to HR or through their [Employee Access](#) or [TalentEd](#) account. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public until a request to withhold the information is submitted or another exception for release of information under law applies. An

employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

Facility Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours for nonschool-related events or purposes must follow established procedures. The Business Services Department is responsible for scheduling the use of facilities for after-school hours. Contact the Facility Use Coordinator (512-858-3046) to request use of school facilities and to obtain information on the fees charged.

Termination of Employment

Resignations

Policy DFE, DHB

All resignations must be submitted in writing to the employee's immediate supervisor, the HR department, and/or the superintendent. A prepaid certified or registered letter of resignation will be considered submitted upon mailing. Submission of resignation does not constitute automatic acceptance of resignation, except in specific circumstances as specifically prescribed in Board Policy and reprinted below.

The Board delegates to the superintendent or designee the authority to receive resignations in accordance with the requirements in Board Policy [DFE \(LOCAL\)](#). Once submitted and accepted, a resignation may not be withdrawn without consent of the Board.

Contract Employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received at least 45 days before the first day of instruction of the following school year. An end-of-year resignation will be automatically accepted upon receipt without further action by the district. The employee must include in the resignation letter a statement of the reasons for resigning.

Contract employees may resign at any other time only with the approval of the superintendent or the Board of Trustees. Resignations submitted at any other time, including mid-year resignations, are not automatically accepted upon receipt. Acceptance of the resignation will be contingent upon finding a suitable replacement. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The principal is required to notify the superintendent of an educator's resignation within seven business days following an alleged incident of misconduct for any of the acts listed in the *Reports to Texas Education Agency* section of this handbook. The superintendent will notify SBEC when an employee resigns and there is evidence that the employee has engaged in such misconduct.

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

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

Dismissal or Nonrenewal of Contract Employees

Policy DF Series, DHB

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

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

Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the timelines and procedures can be found in the [DF Policy](#) series (provided to employees upon request and available online).

Dismissal of Noncontract/At-Will Employees

Policies DCD, DP

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, sex, 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* section of this handbook).

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

employee's resignation or termination following an alleged incident of misconduct described above.

Discharge of Convicted Employees

Policy DF

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

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

Exit Interviews and Procedures

Information on the continuation of benefits and other separation procedures will be provided to the employee by mail or email from the HR department. Employees leaving the district are asked to provide HR with a forwarding address and phone number to provide benefits information and in order for the district to be able to send the current year's W-2 to the correct address of the separated employee. A confidential/anonymous questionnaire that provides the district with feedback on their employment experience is also provided to the separating employee by the HR department. In addition, in-person exit interviews can be scheduled with HR upon request.

All district keys, property (including intellectual property), and equipment must be returned upon separation from employment. Cost of unreturned items or related incidentals may be deducted from the final paycheck. Final paychecks are issued in the same manner as normally received from the district by the employee.

Reports to the Texas Education Agency (TEA)

Policies DF, DHB, DHC

Certified Employees. The resignation or termination of a certified employee must be reported to the Division of Investigations at TEA if there is evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on district property or at a school-sponsored event

The reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee or an applicant for certification has a reported criminal history or

engaged in conduct violating the assessment security procedures established under TEC § 39.0301. “Reported criminal history” means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

Noncertified Employees. The voluntary or involuntary separation of a noncertified employee from the District must be reported to the Division of Investigations at TEA by the superintendent if there is evidence the employee abused or otherwise committed an unlawful act with a student or minor, was involved in a romantic relationship with a student or minor, or solicited or engaged in sexual contact with a student or minor.

Reports Concerning Court-Ordered Withholding

The district is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance. Notice of the following must be sent to the support recipient and the court or, in the case of child support, the Texas Attorney General Child Support Division:

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

Student Issues

Equal Educational Opportunities

Policies FB, FFH

In an effort to promote nondiscrimination and as required by law, Dripping Springs ISD does not discriminate on the basis of race, color, religion, national origin, age, sex, or disability, in providing education services, activities, and programs, including Career and Technical Education (CTE) programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to Karen Kidd, Assistant Superintendent for Learning & Innovation, 510 W. Mercer Street, Dripping Springs, TX 78610, karen.kidd@dsisdtx.us, 512-858-3040, the district Title IX coordinator for students. Questions or concerns about discrimination on the basis of a disability should be directed to Nadine Hogan, Special Services Director, 510 W. Mercer Street, Dripping Springs, TX 78610, nadine.hogan@dsisdtx.us, 512-858-3061, the district ADA/Section 504 coordinator for students. 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. ***It is inappropriate to discuss information about students outside of the school setting and with others who do not have a legitimate educational interest in the information to be shared.*** The following people are the only people who have general access to a student's records:

- Parents (Each parent has this access, whether married, separated, or divorced, unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights.)
- The student (The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. A district is not prohibited from granting the student access to the student's records before this time.)
- School officials with legitimate educational interests

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal 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. The district's policy concerning the process of bringing parent/student complaints and grievances is [FNG \(LOCAL\)](#).

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

Administering Medication to Students

Policy FFAC

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

Dietary Supplements

Policies DH, FFAC

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

Psychotropic Drugs

Policy FFAC

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

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

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

Student Conduct and Discipline

Policies in the FN series and FO series

Students are expected to follow the classroom rules, campus rules, and rules listed in the *Student Handbook and 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 and should consult the campus handbook for detailed information. 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 a student is absent from school for any portion of a school day, the parent must verify the absence with an email to the campus attendance office, an absence notification through the Family Access system, or a phone call to the campus attendance office within 48 hours of the absence. Absence verification must describe the reason for the absence. The verification must be submitted by the student's parent or, if the student is 18 or older or is an emancipated minor, by the student. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

Bullying

Policy FFI

Bullying is defined by TEC §37.0832. All employees are required to report student complaints of bullying, including cyberbullying, to the designated campus administrator. The district's policy includes definitions and procedures for reporting and investigating bullying of students. For detailed information, see [Board Policy FFI \(LOCAL\)](#).

In addition to Board Policy, the Bullying Checklist for Schools is an excellent resource for educators and administrators, which is available online in [English](#) and [Spanish](#).

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.

Appendices

APPENDIX A	Board Policy Manual Codes for Employment Policies
APPENDIX B	Workers' Compensation Procedures & Injury Report
APPENDIX C	Employee Medical Certification Form
APPENDIX D	FMLA Rights & Responsibilities; Leave Request Form
APPENDIX E	Employee Complaints/Grievances; Policy DGBA; Complaint Forms
APPENDIX F	Code of Ethics; Employee Standards of Conduct; Policy DH (EXHIBIT)
APPENDIX G	Employee Discrimination/Harassment/Retaliation; Policy DIA;
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APPENDIX I	Alcohol and Drug-Free Schools; Policy DH
APPENDIX J	Technology Acceptable-Use Guidelines
APPENDIX K	Solicitation Guidelines
APPENDIX L	Sick Leave Bank Application
APPENDIX M	Policy FFG (LOCAL); DSISD Plan for Addressing Sexual Abuse of Children
APPENDIX N	DSISD Standard Response Protocols
APPENDIX O	Freedom from Bullying; Policy FFI
APPENDIX P	DSISD Social Media Guidelines

APPENDIX A – Board Policy Manual Codes for Employment Policies

The following codes may not contain all of Board policies relating to employment policies and practices; however, these are considered the most common for reference purposes. When accessing the Policy Manual, check both (LEGAL) and (LOCAL) policies, as well as any exhibits and regulations that may be contained under that policy code. The Policy Manual is available on each campus or may be accessed online at: <http://www.dsisdtx.us/policy>.

<u>Policy Code</u>	<u>Policy Title</u>
DAA	Equal Employment Opportunity
DAB	Genetic Nondiscrimination
DBA	Credentials and Records
DBAA	Criminal History and Credit Reports
DBB	Medical Examinations and Communicable Diseases
DBD	Conflict of Interest
DBE	Nepotism Restrictions
DC	Employment Practices
DCA	Probationary Contracts
DCB	Term Contracts
DCD	At-Will Employment
DCE	Other Types of Contracts
DEA	Wage and Hour Laws
DEAA	Incentives and Stipends
DEC Series	Leaves and Absences
DED	Vacations and Holidays
DEE	Expense Reimbursement
DF Series	Termination/Nonrenewal/Resignation; Suspension; RIFs
DG Series	Employee Rights and Privileges
DGBA	Employee Complaints
DH	Employee Standards of Conduct
DHE	Searches and Drug/Alcohol Testing
DI	Employee Welfare
DIA	Freedom from Discrimination, Harassment, and Retaliation
DK	Assignments and Schedules
DL Series	Work Load
DM Series	Professional Development
DN Series	Performance Appraisal
DP Series	Personnel Positions

APPENDIX B – Workers' Compensation Procedures & Injury Report

NOTICE OF POLITICAL SUBDIVISION WORKERS' COMPENSATION ALLIANCE REQUIREMENTS FOR WORK RELATED INJURIES

Dear Employee:

Your employer has chosen the Political Subdivision Workers' Compensation Alliance (the Alliance) to manage the health care and treatment you may receive if you are injured at work. The Alliance includes a list of health care providers who are trained in treating work related injuries and getting people back to work safely.

When you are injured at work....

Tell your supervisor or employer immediately. For emergencies, you may go to the nearest emergency room. Otherwise, you must choose a treating doctor from the list on the web site below. Your employer will assist with any questions about how to obtain treatment. You may also contact your adjuster at the TASB Risk Management Fund (the Fund) for any questions about treatment for a work related injury. The Fund is your employer's workers' compensation coverage provider. They work with your employer to ensure you receive timely health care. The goal is to return you to work as soon as it is safe to do so.

When you are injured, you may locate a medical provider on line at www.pswca.org.

You may contact your adjuster at the TASB Risk Management Fund at 800- 482-7276.

EMPLOYEE NOTICE OF ALLIANCE REQUIREMENTS

Important Contact Information

To locate a provider, go to www.pswca.org.

To contact your adjuster at the TASB Risk Management Fund, visit www.tasbrmf.org or call (800) 482-7276.

Information, Instructions, Rights, and Obligations

If you are injured at work, tell your supervisor or employer immediately. The information in this notice will help you to seek medical treatment for your injury. Your employer will also help with any questions about how to get treatment. You may also contact your adjuster at the TASB Risk Management Fund (the Fund) for any questions about treatment for a work related injury. The Fund is your employer's workers' compensation coverage provider and they are working with your employer to ensure you receive timely and appropriate health care. The goal is to return you to work as soon as it is safe to do so.

- **How do I choose a treating doctor?**

If you are hurt at work **and** you live in the Alliance service area, you are required to choose a treating doctor from the provider list. This is required for you to receive coverage of healthcare costs for your work related injury. A provider listing is available through the Alliance website at www.pswca.org and a link to that site is also contained on the Fund's website at www.tasbrmf.org. It identifies providers who are taking new patients.

If your treating doctor leaves the Alliance, we will tell you in writing. You will have the right to choose another treating doctor from the list of Alliance doctors. If your doctor leaves the Alliance and you have a life threatening or acute condition for which a disruption of care would be harmful to you, your doctor may request that you treat with him or her for an extra **90 days**.

- **What if I live outside the service area?**

If you believe you live outside of the service area, you may request a service area review by calling your adjuster.

- **How do I change treating doctors?**

Within the first 60 days of beginning treatment, if you become dissatisfied with your first choice of a treating doctor, you can select an alternate treating doctor from the list of Alliance treating doctors in your service area. The Fund will not deny a choice of an alternate treating doctor. **However, before you can change treating doctors a second time, you must obtain permission from your adjuster.**

- **How are treating doctor referrals handled?**

Referrals for health care services that you or your doctor request will be made available on a timely basis as required by your medical condition. Referrals will be made **no later than 21 days** after the request. Your doctor should refer you to another Alliance provider unless it becomes medically necessary to make a referral outside of the Alliance. You do not have to get a referral if you are in need of emergency care.

- **Who pays for the healthcare?**

Alliance providers have agreed to seek payment from the Fund for your health care. They should not request payment from you. If you obtain health care from a doctor who is not in the Alliance without prior approval from your adjuster, you may have to pay for the cost of that care and your income benefits may be disputed. You may treat with medical providers that are **not contracted** with the Alliance only if one of the following situations occurs:

- Emergencies: You should go to the nearest hospital or emergency care facility.
- You do not live within an Alliance service area.
- Your treating doctor refers you to a provider or facility outside of the Alliance. This referral must be approved by your adjuster.

EMPLOYEE NOTICE OF ALLIANCE REQUIREMENTS – PAGE 2

How to File a Complaint

You have the right to file a complaint with the Alliance. You may do this if you are dissatisfied with any aspect of direct contract program operations. This includes a complaint about the program and/or your Alliance doctor. It may also be a general complaint about the Alliance. A complainant can notify the Alliance Grievance Coordinator of a complaint by phone, from the Alliance website www.pswca.org or in writing via mail or fax. Complaints should be forwarded to:

PSWCA (The Alliance)
Attention: Grievance Coordinator
P.O. Box 763
Austin, TX 78767-0763
866-997-7922

A complaint must be filed with the program grievance coordinator **no later than 90 days from the date the issue occurred**. Texas law does not permit the Alliance to retaliate against you if you file a complaint against the program. Nor can the Alliance retaliate if you appeal the decision of the program. The law does not permit the Alliance to retaliate against your treating doctor if he or she files a complaint against the program or appeals the decision of the program on your behalf.

What to do when you are injured on the job

If you are injured while on the job, tell your employer as soon as possible. A list of Alliance treating doctors in your service area may be available from your employer. A complete list of Alliance treating doctors is also available online at www.pswca.org. Or, you may contact us directly at the following address and/or toll-free telephone number:

TASB Risk Management Fund
P.O. Box 2010
Austin, TX 78768
(800) 482-7276

In case of an emergency...

If you are hurt at work and it is a life threatening emergency, you should go to the nearest emergency room. If you are injured at work after normal business hours or while working outside your service area, you should go to the nearest care facility. After you receive emergency care, you may need ongoing care. You will need to select a treating doctor from the Alliance provider list. This list is available online at www.pswca.org. If you do not have internet access call (800) 482-7276 or contact your employer for a list. The doctor you choose will oversee the care you receive for your work related injury. Except for emergency care you must obtain all health care and specialist referrals through your treating doctor.

Emergency care does not need to be approved in advance. "Medical emergency" is defined in Texas laws. It is a medical condition that comes up suddenly with acute symptoms that are severe enough that a reasonable person would believe that you need immediate care or you would be harmed. That harm would include your health or bodily functions being in danger or a loss of function of any body organ or part.

EMPLOYEE NOTICE OF ALLIANCE REQUIREMENTS – PAGE 3

Non-emergency care...

Report your injury to your employer as soon as you can. Select a treating doctor from the Alliance provider list. This list is available online at www.pswca.org. If you do not have internet access, call 800-482-7276 or contact your employer for a list.

Treatments Requiring Advance Approval

Certain treatments or services prescribed by your doctor need to be approved in advance. Your doctor is required to request approval from the TASB Risk Management Fund before the specific treatment or service is provided. For example, you may need to stay more days in the hospital than what was first approved. If so, the added treatment must be approved in advance.

The following non-emergency healthcare treatment requests must be approved in advance:

Inpatient hospital admissions
Outpatient Surgical or ambulatory surgical services
Spinal Surgery
All non-exempted work hardening
All non-exempted work conditioning
Physical or occupational therapy except for the first twelve (12) visits if those visits were done within the first 6 months immediately following date of injury or date of surgery
Any investigational or experimental service
Psychological testing exceeding 3 hours with no more than four tests, such as MMPI2, BDI, BAI, P-3
Repeat psychological testing
Psychotherapy and cognitive/behavioral therapy greater than 6 visits, repeat psychological interviews and biofeedback
Repeat diagnostic studies greater than \$350.
All durable medical equipment (DME) in excess of \$500
Chronic pain management and interdisciplinary pain rehabilitation
Drugs not included in the TDI Division of Workers' Compensation Formulary
All narcotic medications dispensed greater than 60 days
Any treatment or service that exceeds the Official Disability Guidelines.

The number your doctor must call to request one of these treatments is 800-482-7276, ext. 6654. If a treatment or service request is denied, we will tell you in writing. This written notice will have information about your right to request a reconsideration or appeal of the denied treatment. It will also tell you about your right to request review by an Independent Review Organization through the Texas Department of Insurance.

NOTICE OF POLITICAL SUBDIVISION WORKERS' COMPENSATION ALLIANCE REQUIREMENTS FOR WORK RELATED INJURIES

AVISO DEL POLITICAL SUBDIVISION WORKERS' COMPENSATION ALLIANCE PARA LASTIMADURAS OCURRIENDO EN EL TRABAJO

Estimado Empleado:

Su compania de empleo escogio la Political Subdivision Workers' Compensation Alliance (PSWCA) para dirigir sus tratamientos medicos si se lastima en el trabajo. La organizacion PSWCA inclui una lista de medicos que estan entrenados y preparados para tratar empleados que han sido lastimados en el trabajo.

Si se lastima en el trabajo...

Inmediatamente avisele a su supervisor o a la persona que lo emplea. En un caso de emergencia, Usted puede ir al hospital mas cerca. En otros casos, visite la lista de medicos aprovados por PSWCA localizados en el Internet (www.pswca.org). Su compania de empleo tambien le puede asistir en contestarle preguntas sobre tratamientos medicos. El ajustador de Texas Association of School Boards – Risk Management Fund (TASB) tambien le puede ayudar en contestarle sus preguntas relacionadas a su tratamiento medico. La compania TASB tambien se comunica con su empleador para segurar que Usted reciba la ayuda medica propia. El objetivo de TASB y su empleador es regresarlo a su trabajo en una manera segura y en buena salud.

Cuando ha sido lastimado puede localizer un medico en el Internet:
www.pswca.org.

Puede hablarle a su ajustador de TASB al numero siguiente: 800-482-7276.

AVISO DEL EMPLEADO DE LOS REQUISITOS DE LA ALIANZA

Información de contacto importante

Para localizar a un proveedor, visite www.pswca.org.

Para contactar a un ajustador en el Fondo de Control de Riesgos de TASB, visite www.tasbrmf.org o llame al (800) 482-7276.

Información, Instrucciones, Derechos y Obligaciones

Si se lesionó en el trabajo, avise a sus supervisor o empleador inmediatamente. La información en este aviso le ayudará a recibir tratamiento médico para su lesión. Su empleador también le asistirá con cualquier pregunta que tenga para recibir tratamiento. También puede contactar a su ajustador en el Fondo de Control de Riesgos de TASB (el Fondo) para cualquier pregunta que tenga sobre el tratamiento de una lesión relacionada con el trabajo. El Fondo es su proveedor de cobertura de compensación al trabajador y está trabajando con su compañía para asegurarse de que reciba cuidados médicos a tiempo. La meta es que regrese a trabajar sin riesgos tan pronto como sea posible.

▪ **¿Cómo elegir un médico?**

Si se lesionó en el trabajo y usted vive en el área de servicio de la Alliance, se requiere que usted elija un médico de la lista de proveedores. Sólo puede elegir a un médico de la lista de la Alliance. El médico **no** puede ser elegido de la lista de especialistas. Esto es necesario para que pueda recibir la cobertura de los costes sanitarios relacionados con el trabajo por su lesión. La lista de proveedores está disponible a través del sitio web de la Alliance en www.pswca.org Y un sitio también está contenida en el sitio Web de el Fund en www.tasbrmf.org. Identifica los proveedores que están aceptando nuevos pacientes.

Si su médico que le deja a la Alliance, le informaremos por escrito. Usted tiene el derecho de elegir a otro médico de la lista de la Alianza. Si su médico deja a la Alliance y usted tiene una condición que amenaza la vida en peligro o condición para que una perturbación de la atención sería perjudicial para usted, su doctor le puede pedir que tratar con él o ella por un extra de **90 días**.

▪ **¿Qué pasa si vivo fuera del área de servicio?**

Si usted cree que vive fuera del área de servicio, puede llamar a su ajustador y pedirle que revise el área de servicio.

▪ **¿Cómo cambio de doctor?**

Si está insatisfecho con su doctor, puede elegir un doctor diferente de la lista de doctores en el área de servicio donde usted vive. El Fondo le da la opción de elegir un doctor diferente. **Antes de que cambie de doctores una segunda vez, debe obtener el permiso de su ajustador.**

▪ **¿Cómo se maneja la referencia de doctores?**

Las referencias de los servicios médicos que usted y su doctor soliciten estarán disponibles en el tiempo requerido en base a su condición médica. Las referencias serán hechas **en menos de 21 días** después de su petición. Su doctor debe referirlo a otro proveedor de la Alianza a menos de que sea médicamente necesario hacer la referencia afuera de la Alianza. No tiene que obtener una referencia si necesita de cuidados de emergencia.

▪ **¿Quién paga por los cuidados médicos?**

Los proveedores de la Alianza han acordado pedir el pago al Fondo para sus cuidados médicos. No deben pedirle pagos a usted. Si obtiene cuidados médicos de un doctor que no está en la Alianza sin tener aprobación previa de un ajustador, tal vez tenga que pagar los costos de su cuidado. Puede recibir tratamiento de los proveedores médicos que **no pertenezcan** a la Alianza sólo si sucede una de las siguientes situaciones:

- Emergencias: Debe acudir al hospital o instalaciones de emergencia más cercanas.
- Si no vive dentro del área de servicio de la Alianza
- Si su doctor lo manda a un proveedor o instalación fuera de la Alianza. Esta instalación o especialista debe ser aprobado por un ajustador.

AVISO DEL EMPLEADO DE LOS REQUISITOS DE LA ALIANZA - 2

Cómo Poner una Queja

Tiene el derecho de poner una queja con la Alianza. Debe hacerlo si no está satisfecho con algún aspecto de las operaciones del programa de contrato directo. Esto incluye una queja sobre el programa y/o su doctor de la Alianza. También puede ser una queja general sobre la Alianza. Puede poner su queja con el Coordinador de Quejas de la Alianza por teléfono, por medio de la página de internet de la Alianza en www.pswca.org, por escrito por correo o por fax. Las quejas se deben mandar a:

PSWCA (The Alliance)
Attention: Grievance Coordinator
P.O. Box 763
Austin, TX 78767-0763
866-997-7922

Debe mandar la queja al coordinador de quejas del programa **en menos de 90 días después de la fecha en que haya ocurrido el incidente**. Las leyes de Texas no permiten que la Alianza tome represalias en contra de usted si pone una queja en contra del programa. La Alianza tampoco puede tomar represalias si usted apela la decisión del programa. La ley no permite que la Alianza tome represalias en contra de su doctor si el o ella pone una queja en contra del programa o apela de su parte la decisión del programa.

¿Qué se puede hacer cuando uno se lastima en el trabajo?

Si se lastima mientras esté en el trabajo, avise a su empleador tan pronto como le sea posible. Su empleador puede tener una lista de doctores de la Alianza en su área de servicio. También puede encontrar una lista completa de doctores de la Alianza en www.pswca.org. O también, nos puede contactar directamente a la siguiente dirección y/o llamar al número de teléfono gratis:

TASB Risk Management Fund
P.O. Box 2010
Austin, TX 78768
(800) 482-7276

En caso de una emergencia...

Si se lastima en el trabajo y es una emergencia con amenaza de muerte, puede ir a un hospital de emergencias más cercano. Si se lesiona en el trabajo después de horas de oficina o mientras esté trabajando afuera de su área de servicio, debe acudir a las instalaciones más cercanas. Después de que haya recibido cuidados de emergencia, puede necesitar continuos cuidados. Necesita elegir a un doctor para su tratamiento de la lista de proveedores de la Alianza. Esta lista está disponible en línea en www.pswca.org. Si no tiene internet, llame al (800) 482-7276 ó llame a su empleador y pida la lista. El doctor que elija se asegurará de que reciba cuidados para su lesión relacionada con el trabajo. Excepto por los cuidados de emergencia, usted debe obtener referencias para los cuidados médicos y especialistas por medio del doctor que lo atienda.

Los cuidados de emergencia no necesitan ser aprobados con anticipación. Una "Emergencia Médica" como es definida por la leyes de Texas. Es una condición médica que sucede repentinamente con síntomas serios que son severos como para que una persona razonable crea que usted necesite cuidados inmediatos o su no, podría sufrir un daño. Ese daño pudiera incluir peligros en contra de su salud o funciones de su cuerpo o pérdida de funciones de cualquier órgano o parte del cuerpo.

AVISO DEL EMPLEADO DE LOS REQUISITOS DE LA ALIANZA - 3

Cuidados no de emergencia...

Reporte su lesión a su compañía tan pronto como pueda. Seleccione a un doctor que lo atienda de la lista de proveedores de la Alianza. Esta lista está disponible en línea en www.pswca.org. Si no tiene acceso al internet, llame al 800- 482-7276 ó llame a su compañía y pídale una lista.

Tratamientos Que Requieren Aprobación Previa

Ciertos tratamientos o servicios prescritos por un doctor necesitan ser aprobados con anticipación. Se requiere que su doctor pida aprobación del Fondo de Control de Riesgos de TASB antes de proporcionar un tratamiento o servicio específico. Por ejemplo, puede necesitar quedarse más días en un hospital que los días aprobados al principio. Si así es, los tratamientos adicionales deben ser aprobados con anticipación.

Los siguientes tratamientos médicos que no son de emergencia deben ser aprobados con anticipación:

Admisión del paciente en el hospital
Servicios quirúrgicos o de ambulancia
Cirugía de la Columna
Toda la terapia de fortalecimiento laboral no exenta
Toda la terapia de acondicionamiento laboral no exenta
Terapia física u ocupacional excepto las primeras seis (6) visitas si las seis visitas fueron hechas en un periodo de 2 semanas inmediatamente después de la fecha de la lesión o la cirugía.
Cualquier servicio de investigación o experimental
Todas las pruebas psicológicas y psicoterapia
Estudios repetidos de diagnósticos que sobrepasen \$350
Todo el equipo médico (DME) que sobrepase \$500
Manejo del dolor crónico y la rehabilitación del dolor interdisciplinario
Medicamentos no incluidos en el Formulario de la División de Compensación al Trabajador (TDI)
Todos los medicamentos narcóticos proporcionados para más de 60 días
Cualquier tratamiento o servicio que exceda las Pautas Oficiales de Discapacidad

Su doctor debe llamar al 800-482-7276, ext. 6654 para pedir uno de estos tratamientos. Si se le niega el tratamiento o servicio, le avisaremos por escrito. Este aviso por escrito tendrá información sobre su derecho de pedir que se le vuelva a considerar o apelar por el tratamiento negado. También se le explicará su derecho de pedir una revisión por una Independent Review Organization por medio del Departamento de Seguros de Texas.

APPENDIX B ACCIDENT REPORT

TWCC CLAIM #

CARRIER'S CLAIM #

EMPLOYER'S FIRST REPORT OF INJURY OR ILLNESS

1. Name (Last, First, M.I.)		2. Sex F <input type="checkbox"/> M <input type="checkbox"/>
3. Social Security Number - -	4. Home Phone ()	5. Date of Birth (m-d-y) - -
6. Does the Employee Speak English? If No, Specify Language YES <input type="checkbox"/> NO <input type="checkbox"/>		
7. Race White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/>	8. Ethnicity Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Other <input type="checkbox"/>	
9. Mailing Address Street or P.O. Box		
City	State	Zip Code County
10. Marital Status Married <input type="checkbox"/> Widowed <input type="checkbox"/> Separated <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/>		
11. Number of Dependent Children	12. Spouse's Name	
13. Doctor's Name		
14. Doctor's Mailing Address (Street or P.O.Box)		
City	State	Zip Code

15. Date of Injury (m-d-y) - -	16. Time of Injury : am <input type="checkbox"/> pm <input type="checkbox"/>	17. Date Lost Time Began (m-d-y) - -	
18. Nature of Injury*		19. Part of Body Injured or Exposed*	
20. How and Why Injury/Illness Occurred*			
21. Was employee doing his regular job? YES <input type="checkbox"/> NO <input type="checkbox"/>		22. Worksite Location of Injury (stairs, dock, etc.)*	
23. Address Where Injury or Exposure Occurred Name of business if incident occurred on a business site Street or P.O. Box County			
City		State	Zip Code
24. Cause of Injury(fall, tool, machine, etc.)*			
25. List Witnesses			
26. Return to work date/or expected (m-d-y) - -	27. Did employee die? YES <input type="checkbox"/> NO <input type="checkbox"/>	28. Supervisor's Name	29. Date Reported (m-d-y) - -

30. Date of Hire (m-d-y) - -	31. Was employee hired or recruited in Texas? YES <input type="checkbox"/> NO <input type="checkbox"/>	32. Length of Service in Current Position Months _____ Years _____	33. Length of Service in Occupation Months _____ Years _____
34. Employee Payroll Classification Code		35. Occupation of Injured Worker	
36. Rate of Pay at this Job \$ _____ Hourly \$ _____ Weekly	37. Full Work Week is: _____ Hours _____ Days	38. Last Paycheck was: \$ _____ for _____ Hours or _____ Days	39. Is employee an Owner, Partner, or Corporate Officer? YES <input type="checkbox"/> NO <input type="checkbox"/>

40. Name and Title of Person Completing Form		41. Name of Business	
42. Business Mailing Address and Telephone Number Street or P.O. Box Telephone ()		43. Business Location (If different from mailing address) Number and Street	
City	State	Zip Code	City State Zip Code
44. Federal Tax Identification Number	45. Primary Standard Industrial Classification (SIC) Code* (4 digit)	46. Specific SIC Code* (4 digit)	47. Texas Comptroller Taxpayer No.
48. Workers' Compensation Insurance Company		49. Policy Number	

50. Did you request accident prevention services in past 12 months? YES <input type="checkbox"/> NO <input type="checkbox"/> If yes, did you receive them? YES <input type="checkbox"/> NO <input type="checkbox"/>			
--	--	--	--

APPENDIX C – Employee Medical Certification Form

Please return to: Dripping Springs ISD HR Fax: 512.858.3098, or PO Box 479, Dripping Springs, TX 78620
Questions? Call DSISD HR at: 512.858.3064 or e-mail HRSupport@dsisdtx.us.

CERTIFICATION OF HEALTH CARE PROVIDER FOR EMPLOYEE'S SERIOUS HEALTH CONDITION (FAMILY AND MEDICAL LEAVE ACT)

Adapted from Form WH-380-E Revised June 2020
Expires 6/30/2023

SECTION I—EMPLOYER

Either the employee or the employer may complete Section I. While use of this form is optional, this form asks the health care provider for the information necessary for a complete and sufficient medical certification, which is set out at 29 C.F.R. §825.306. **You may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308.** Additionally, you **may not** request a certification for FMLA leave to bond with a healthy newborn child or a child placed for adoption or foster care.

Employers must generally maintain records and documents relating to medical information, medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

- (1) Employee name: _____
First Middle Last
- (2) Employer name: _____ Date: _____ (mm/dd/yyyy)
(List date certification requested)
- (3) The medical certification must be returned by _____ (mm/dd/yyyy)
(Must allow at least 15 calendar days from the date requested, unless it is not feasible despite the employee's diligent, good faith efforts.)
- (4) Employee's job title: _____ Job description (☐ is / ☐ is not) attached.
Regular Work Schedule: _____
Statement of the employee's essential job functions: _____
(The essential functions of the employee's position are determined with reference to the position the employee held at the time the employee notified the employer of the need for leave or the leave started, whichever is earlier.)

SECTION II—HEALTH CARE PROVIDER

Please provide your contact information, complete all relevant parts of this Section, and sign the form. Your patient has requested leave under the FMLA. The FMLA allows an employer to require that the employee submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to the serious health condition of the employee. For FMLA purposes, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves *inpatient care* or *continuing treatment by a health care provider*. For more information about the definitions of a serious health condition under the FMLA, see the chart on page 4.

You may, but are **not required** to, provide other appropriate medical facts including symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment. Please note that some state or local laws may not allow disclosure of private medical information about the patient's serious health condition, such as providing the diagnosis and/or course of treatment.

Health Care Provider's name: (Print) _____
Health Care Provider's business address: _____
Type of practice /Medical specialty: _____
Telephone (____) _____ Fax (____) _____ Email: _____



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CERTIFICATION OF HEALTH CARE PROVIDER FOR EMPLOYEE'S SERIOUS HEALTH CONDITION (FAMILY AND MEDICAL LEAVE ACT)

PART A: Medical Information

Limit your response to the medical condition(s) for which the employee is seeking FMLA leave. Your answers should be your **best estimate** based upon your medical knowledge, experience, and examination of the patient. **After completing Part A, complete Part B to provide information about the amount of leave needed.** Note: For FMLA purposes, "incapacity" means the inability to work, attend school, or perform regular daily activities due to the condition, treatment of the condition, or recovery from the condition. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(b).

- (1) State the approximate date the condition started or will start: _____ (mm/dd/yyyy)
- (2) Provide your **best estimate** of how long the condition lasted or will last: _____
- (3) Check the box(es) for the questions below, applicable. For all box(es) checked, the amount of leave needed must be provided in Part B.

☐ **Inpatient Care:** The patient (☐ has been / ☐ is expected to be) admitted for an overnight stay in a hospital, hospice, or residential medical care facility on the following date(s): _____

☐ **Incapacity plus Treatment:** (e.g., outpatient surgery, strep throat)
Due to the condition, the patient (☐ has been / ☐ is expected to be) incapacitated for *more than* three consecutive, full calendar days from _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy).
The patient (☐ was / ☐ will be) seen on the following date(s): _____

The condition (☐ has / ☐ has not) also resulted in a course of continuing treatment under the supervision of a health care provider (e.g., prescription medication (other than over-the-counter) or therapy requiring special equipment)

☐ **Pregnancy:** The condition is pregnancy. List the expected delivery date: _____ (mm/dd/yyyy).

☐ **Chronic Conditions:** (e.g. asthma, migraine headaches) Due to the condition, it is medically necessary for the patient to have treatment visits at least twice per year.

☐ **Permanent or Long-Term Conditions:** (e.g. Alzheimer's, terminal stages of cancer) Due to the condition, incapacity is permanent or long term and requires the continuing supervision of a health care provider (even if active treatment is not being provided).

☐ **Conditions requiring Multiple Treatments:** (e.g. chemotherapy treatments, restorative surgery) Due to the condition, it is medically necessary for the patient to receive multiple treatments.

☐ **None of the above:** If none of the above condition(s) were checked, (i.e., inpatient care, pregnancy) no additional information is needed. Go to page 4 to sign and date the form.

- (4) If needed briefly describe other appropriate medical facts related to the condition(s) for which the employee seeks FMLA leave. (e.g., use of nebulizer, dialysis): _____

PART B: Amount of Leave Needed

For the medical condition(s) checked in Part A, complete all that apply. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage.



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**CERTIFICATION OF HEALTH CARE PROVIDER FOR EMPLOYEE'S SERIOUS HEALTH CONDITION
(FAMILY AND MEDICAL LEAVE ACT)**

- (5) Due to the condition, the patient (☐ had / ☐ will have) **planned medical treatment(s)** (schedule medical visits) (e.g., psychotherapy, prenatal appointments) on the following date(s): _____

- (6) Due to the condition, the patient (☐ was / ☐ will be) **referred to other health care provider(s)** for evaluation or treatment(s).

State the nature of such treatments: (cardiologist, physical therapy) _____

Provide your **best estimate** of the beginning date _____ (mm/dd/yyyy) and end date _____ (mm/dd/yyyy) for treatments.

Provide your **best estimate** of the duration of the treatment(s), including any period of recovery (e.g., 3 days/week) _____

- (7) Due to the condition, it is medically necessary for the employee to work a **reduced schedule**.

Provide your **best estimate** of the reduced schedule the employee is able to work. From _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy) the employee is able to work (e.g., 5 hours/day, up to 25 hours a week) _____

- (8) Due to the condition, the patient (☐ was / ☐ will be) **incapacitated for a continuous period of time**, including any time for treatment(s) and/or recovery.

Provide your **best estimate** of the beginning date _____ (mm/dd/yyyy) and end date _____ (mm/dd/yyyy) for this period of incapacity.

- (9) Due to the condition, it (☐ was / ☐ is / ☐ will be) medically necessary for the employee to be absent from work on an **intermittent basis** (periodically), including for any episodes of incapacity i.e., episodic flare-ups. Provide your **best estimate** of how often (frequency) and how long (duration) the episodes of incapacity will likely last.

Over the next 6 months, episode of incapacity are estimated to occur _____ times per (☐ day / ☐ week / ☐ month) and are likely to last approximately _____ (☐ hours / ☐ days) per episode.

PART C: Essential Job Functions

If provided, the information in Section I question #4 may be used to answer this question. If the employer fails to provide a statement of the employee's essential functions or a job description, answer these questions based upon the employee's own description of the essential job functions. An employee who must be absent from work to receive medical treatment(s), such as scheduled medical visits, for a serious health condition is considered to be *not able* to perform the essential job functions of the position during the absence for treatment(s).

- (10) Due to the condition, the employee (☐ was not able / ☐ is not able / ☐ will not be able) to perform *one or more* of the essential job function(s). Identify at least one essential job function the employee is not able to perform: _____

Signature of Health Care Provider _____ **Date:** _____ (mm/dd/yyyy)



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**CERTIFICATION OF HEALTH CARE PROVIDER FOR EMPLOYEE'S SERIOUS HEALTH CONDITION
(FAMILY AND MEDICAL LEAVE ACT)**

Definitions of a Serious Health Care Condition <i>See 29 C.F.R. §§ 825.113-.115)</i>
<p align="center">Inpatient Care</p> <ul style="list-style-type: none"> • An overnight stay in a hospital, hospice, or residential medical care facility. • Inpatient care includes any period of incapacity or any subsequent treatment in connection with the overnight stay.
<p align="center">Continuing Treatment by a Health Care Provider (any one or more of the following)</p> <p><u>Incapacity Plus Treatment:</u> A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either:</p> <ul style="list-style-type: none"> • Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity; or, • At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.
<p><u>Pregnancy:</u> Any period of incapacity due to pregnancy or for prenatal care.</p>
<p><u>Chronic Conditions:</u> Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity.</p>
<p><u>Permanent or Long-term Conditions:</u> A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer's disease or the terminal stages of cancer.</p>
<p><u>Conditions Requiring Multiple Treatments:</u> Restorative surgery after an accident or other injury; or, a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the patient did not receive the treatment.</p>

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR. RETURN TO THE PATIENT.



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APPENDIX D – FMLA Employee Rights & Responsibilities; Leave Request Form

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS



BENEFITS & PROTECTIONS

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

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

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

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

ELIGIBILITY REQUIREMENTS

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

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

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

REQUESTING LEAVE

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

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

EMPLOYER RESPONSIBILITIES

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

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

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

ENFORCEMENT

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




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

For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd



DERECHOS DEL EMPLEADO SEGÚN LA LEY DE AUSENCIA FAMILIAR Y MÉDICA

DIVISIÓN DE HORAS Y SALARIOS DEL DEPARTAMENTO DE EE. UU.

DERECHOS DE LA LICENCIA



Los empleados elegibles que trabajan para un empleador sujeto a esta ley pueden tomarse hasta 12 semanas de licencia sin paga y sin perder su empleo durante un período de 12 meses por las siguientes razones:

- El nacimiento de un hijo o la colocación de un hijo en adopción o en hogar de crianza;
- Para establecer lazos afectivos con un niño (la licencia tiene que ser tomada dentro del primer año del nacimiento o de la colocación del niño);
- Para cuidar al cónyuge del empleado, al hijo, o al padre que tenga una condición seria de salud que califique;
- Debido a una condición seria de salud que califique del empleado mismo y que resulte en que el empleado no pueda realizar su trabajo;
- Por exigencias que califiquen relacionadas con el despliegue al extranjero de un miembro de las fuerzas armadas que sea cónyuge del empleado, hijo o padre.

Un empleado elegible que es cónyuge, hijo, padre o familiar más cercano del miembro de las fuerzas armadas que está cubierto, puede tomarse hasta 26 semanas de licencia bajo la Ley de Ausencia Familiar y Médica (FMLA, por sus siglas en inglés) en un período único de 12 meses para cuidar al miembro de las fuerzas armadas que tenga una lesión o enfermedad seria.

El empleado no tiene que tomarse toda la licencia seguida de una sola vez. Cuando es médicamente necesario o de otra manera permitido, los empleados pueden tomarse la licencia de forma intermitente o en una jornada reducida.

Los empleados pueden elegir, o un empleador puede exigir, el uso de licencias pagadas acumuladas mientras se toman la licencia bajo la FMLA. Si el empleado sustituye la licencia pagada acumulada por la licencia bajo la FMLA, el empleado tiene que cumplir con las políticas de pago de licencias normales del empleador.

Mientras los empleados estén de licencia bajo la FMLA, los empleadores tienen que continuar con la cobertura del seguro de salud como si los empleados no estuvieran de licencia.

Después de regresar de la licencia bajo la FMLA, a la mayor parte de los empleados se les tiene que restablecer al mismo trabajo o una condición, con el pago, los beneficios y otros términos y otras condiciones de empleo equivalentes.

El empleador no puede interferir con los derechos de la FMLA de un individuo o tomar represalias contra alguien por usar o intentar de usar la licencia bajo la FMLA, por oponerse a cualquier práctica ilegal hecha por la FMLA, o por estar involucrado en un procedimiento según o relacionado con la FMLA.

Un empleado que trabaja para un empleador bajo el alcance tiene que cumplir con tres criterios para poder ser elegible para una licencia bajo la FMLA. El empleado tiene que:

- Haber trabajado para el empleador por lo menos 12 meses;
- Tener por lo menos 1,250 horas de servicio en los 12 meses previos a tomar la licencia*; y
- Trabajar en un lugar donde el empleador tenga al menos 50 empleados dentro de 75 millas del lugar de trabajo del empleado.

*Requisitos especiales de "horas de servicio" se aplican a empleados de una tripulación de una aerolínea.

En general, los empleados tienen que pedir la licencia necesaria bajo la FMLA con 30 días de anticipación. Si no es posible avisar con 30 días de anticipación, el empleado tiene que notificar al empleador lo más pronto posible y, generalmente, seguir los procedimientos usuales del empleador.

Los empleados no tienen que informar un diagnóstico médico, pero tienen que proporcionar información suficiente para que el empleador pueda determinar si la ausencia califica bajo la protección de la FMLA. La información suficiente podría incluir informarle al empleador que el empleado está o estará incapacitado para realizar sus funciones laborales, que un miembro de la familia no puede realizar las actividades diarias, o que una hospitalización o un tratamiento médico de seguimiento es necesario. Los empleados tienen que informar al empleador si la necesidad de la licencia es por una razón por la cual la licencia bajo la FMLA fue previamente tomada o certificada.

Los empleadores pueden exigir un certificado o una recertificación periódica que respalde la necesidad para la licencia. Si el empleador determina que la certificación está incompleta, tiene que proporcionar un aviso por escrito indicando qué información adicional se requiere.

Una vez que el empleador sepa que la necesidad para la licencia del empleado es por una razón que pueda calificar bajo la FMLA, el empleador tiene que notificar al empleado si él o ella es elegible para una licencia bajo FMLA y, si es elegible, también tiene que proporcionar un aviso de los derechos y las responsabilidades según la FMLA. Si el empleado no es elegible, el empleador tiene que brindar una razón por la cual no es elegible.

Los empleadores tienen que notificar a sus empleados si la ausencia será designada como licencia bajo la FMLA, y de ser así, cuánta ausencia será designada como licencia bajo la FMLA.

Los empleados pueden presentar un reclamo ante el Departamento de Trabajo de EE. UU., la División de Horas y Salarios, o pueden presentar una demanda privada contra un empleador.

La FMLA no afecta a ninguna ley federal o estatal que prohíba la discriminación ni sustituye a ninguna ley estatal o local o convenio colectivo de negociación que proporcione mayores derechos de ausencias familiares o médicas.

BENEFICIOS Y PROTECCIONES

REQUISITOS DE ELEGIBILIDAD

PEDIDO DE LA LICENCIA

RESPONSABI- DADES DEL EMPLEADOR

CUMPLIMIENTO

Para información adicional o para presentar un reclamo:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

Departamento de Trabajo de los EE.UU. | División de Horas y Salarios



WH1420a REV 08/16

EMPLOYEE REQUEST FOR LEAVE FAMILY AND MEDICAL LEAVE

Type or Print

1. Name of Employee:	2. Employee's Social Security Number:
<div style="display: flex; justify-content: space-between; font-size: small;"> Last First Middle </div>	
3. Reason for requested leave: a. <input type="checkbox"/> Birth of a son or daughter of the employee and to care for such son or daughter. b. <input type="checkbox"/> Placement of a son or daughter with employee for adoption or foster care. c. <input type="checkbox"/> In order to care for spouse, child, or parent with a serious health condition. d. <input type="checkbox"/> Because of employee's own serious health condition that makes him or her unable to perform job functions. e. <input type="checkbox"/> Military caregiver purposes	
4. If "3 (c)" above, please check one: <input type="checkbox"/> Spouse <input type="checkbox"/> Child <input type="checkbox"/> Parent	5. If "3 (c)" above, state name and address of relation:
6. Date on which you wish to begin leave:	7. Date of Anticipated return to work:
8. Are you requesting leave on an intermittent or reduced leave schedule? <div style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>	9. If "yes", please give schedule of when you anticipate you will be unavailable for work.
<p style="text-align: center; margin: 0;">Medical Certification</p> <p>Employees seeking leave because of reason "3 (c)" or "3 (d)" above must provide medical certification within 15 days or as soon as practicable.</p> <p>Employees seeking to return to work after a leave because of their own serious illness [reason 3 (d)] also must provide a medical certification of ability to perform job duties before they are allowed to resume work.</p> <p>I hereby agree that while I am on leave, I will continue to pay my share of health insurance premiums, unless I elect to discontinue such coverage. I also agree that if I fail to return to work at the end of the leave period, I will reimburse the district for the cost of health benefits provided during my leave, unless I fail to return to work because of the continuation, recurrence, or onset of a serious health condition or because of other circumstances beyond my control. If I am unable to return to work because of a serious health condition, I will provide medical certification from the appropriate health care provider stating that I am unable to perform the functions of my position on the date that my leave expired or that I am needed to care for my spouse/parent/child because he or she has a serious health condition on the date that my leave expired. I understand that I may not be permitted to resume my position with the district until I provide medication certification, as appropriate.</p>	
Signature:	Date:

APPENDIX E – Employee Complaints/Grievances; Policy DGBA; Complaint Forms

Board Policy [DGBA \(LOCAL\)](#) houses the locally adopted policy regarding the Dripping Springs ISD employee complaint process.

GRIEVANCE/COMPLAINT FORMS

Forms on the following pages are provided to assist the district in processing employee complaints.

Exhibit A: Employee Complaint Form - Level One

Exhibit B: Level Two Appeal Notice

Exhibit C: Level Three Appeal Notice

EXHIBIT A

DRIPPING SPRINGS ISD
EMPLOYEE COMPLAINTS

DGBA (E)
(Level ONE)

EMPLOYEE COMPLAINT FORM

Any employee who wishes to file a complaint must fill out this form completely and turn it in to the employee's principal or immediate supervisor. All complaints will be processed in accordance with DGBA (Legal) and DGBA (Local).

1. Name: _____
2. Position/Campus: _____
3. Please State DATE of the Event or Series of Events causing the complaint:

4. Please State your complaint including the individual harm alleged:

5. Please State specific facts of which you are aware to support your complaint (list in detail):

6. What specific remedy are you seeking by this action?

Signature: _____

Date: _____

LEVEL ONE Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

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

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

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

The appropriate administrator shall investigate as necessary and 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.

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

EXHIBIT B

DRIPPING SPRINGS ISD
EMPLOYEE COMPLAINTS

DBGA (E)
(Level TWO)

EMPLOYEE COMPLAINT FORM

NOTICE OF APPEAL

This form must be filled out completely by an employee APPEALING a complaint decision to the NEXT LEVEL in accordance with the district's Policy DGBA (Legal) and DGBA (Local).

1. Name: _____
2. Position/Campus: _____
3. Name of Administrator whose complaint decision you are appealing:

4. Are you appealing a decision at LEVEL ONE or TWO? _____
5. Date of complaint conference you are appealing? _____
6. If you will be represented in pursuing your complaint, please identify that individual or organization:
Name: _____
Address: _____

Phone: () _____
7. Attach a copy of your original complaint.
8. Attach a copy of your complaint decision being appealed.

Signature: _____

Date: _____

LEVEL TWO

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

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

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

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
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. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

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

EXHIBIT C

DRIPPING SPRINGS ISD
EMPLOYEE COMPLAINTS

DGBA (E)
(Level THREE)

EMPLOYEE COMPLAINT FORM

APPEAL TO BOARD

This form must be filled out completely by an employee APPEALING a complaint decision to the Board of Trustees in accordance with the district's Policy DGBA (Legal) and DGBA (Local).

1. Name: _____
2. Position/Campus: _____
3. Date of complaint conference you are appealing? _____
4. If you will be represented in pursuing your complaint, please identify that individual or organization:
Name: _____
Address: _____

Phone: (____) _____
5. Attach a copy of your original complaint and all complaint decisions being appealed.

Signature: _____

Date: _____

LEVEL THREE

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

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

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

The Superintendent or designee shall provide the Board the record of the Level Two 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.

APPENDIX F – Educators’ Code of Ethics ([Policy DH \(EXHIBIT\)](#))

All district employees shall perform their duties in accordance with state and federal law, district policy, and ethical standards for professional educators. The Code of Ethics, and Standard Practices for Texas Educators as shown below is extracted from Texas Administrative Code Title 19 Part 7 Chapter 247 Rules 247.1 & 247.2

Educators’ Code of Ethics

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

Professional Ethical Conduct, Practices, and Performance

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

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

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

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

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

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

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

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

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

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

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

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

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

Ethical Conduct Toward Professional Colleagues

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

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

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

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

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

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

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

Standard 2.8. The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

Ethical Conduct Toward Students

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

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

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

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

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

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

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

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

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

1. The nature, purpose, timing, and amount of the communication;

2. The subject matter of the communication;
3. Whether the communication was made openly or the educator attempted to conceal the communication;
4. Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
5. Whether the communication was sexually explicit; and
6. 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.

APPENDIX G – Freedom from Discrimination/Harassment/Retaliation ([Policy DIA](#))

Dripping Springs ISD
105904

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

	<p>Note: This policy addresses discrimination, harassment, and retaliation against District employees. For Title IX and other provisions regarding discrimination, harassment, and retaliation against students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.</p>
Definitions	Solely for purposes of this policy, the term “employee” includes former employees, applicants for employment, and unpaid interns.
Statement of Nondiscrimination	The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, sex, 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 and is prohibited.
Discrimination	<p>Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee’s employment.</p> <p>In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.</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> <p>Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]</p>
Prohibited Harassment	<p>Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee’s race, color, religion, sex, 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"> 1. Has the purpose or effect of unreasonably interfering with the employee’s work performance; 2. Creates an intimidating, threatening, hostile, or offensive work environment; or 3. Otherwise adversely affects the employee’s performance, environment, or employment opportunities.
Examples	Examples of prohibited harassment may include offensive or derogatory language directed at another person’s religious beliefs or
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	practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; 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.
Sex-Based Harassment	As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)]
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">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; or2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.
Examples	Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, contact, or communication, including electronic communication.
Reporting Procedures	<p>Any 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	For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.
<i>Title IX Coordinator</i>	Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

<i>ADA / Section 504 Coordinator</i>	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]
<i>Superintendent</i>	The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.
Alternative Reporting Procedures	<p>An employee 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 appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.
Notice of Report	<p>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.</p> <p>Any District employee who receives a report of prohibited conduct based on sex, including sexual harassment, shall immediately notify the Title IX coordinator.</p>
Investigation of Reports Other Than Title IX	<p>The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, see the procedures below at Response to Sexual Harassment—Title IX.</p> <p>The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.</p>
Initial Assessment	Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.
Interim Action	If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

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District Investigation	<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 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>
Response to Sexual Harassment—Title IX	<p>For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).</p>
General Response	<p>When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:</p>

- Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;
- Consider the complainant's wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and administrative procedures.

Title IX Formal
Complaint Process

To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;

	<ol style="list-style-type: none">6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;9. A description of the supportive measures available to the complainant and respondent;10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and12. Other local procedures as determined by the Superintendent.
Standard of Evidence	The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.
Retaliation	The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or otherwise participates or refuses to participate in an investigation.
Examples	Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, intimidation, coercion, unjustified negative evaluations, unjustified negative references, or increased surveillance.
Records Retention	<p>The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC]</p> <p>[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]</p>

Dripping Springs ISD
105904

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

**Access to Policy and
Procedures**

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

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APPENDIX H – Student Discrimination/ Harassment/Retaliation ([Policy FFH](#))

Dripping Springs ISD
105904

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

	<p>Note: This policy addresses discrimination, harassment, and retaliation against District students. For provisions regarding discrimination, harassment, and retaliation against District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct.</p>
Statement of Nondiscrimination	<p>The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, sex, gender, sexual orientation, gender identity, national origin, age, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.</p>
Discrimination	<p>Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, sex, gender, sexual orientation, gender identity, national origin, age, disability, or any other basis prohibited by law, that adversely affects the student.</p> <p>Discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.</p>
Prohibited Conduct	<p>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.</p> <p>Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]</p>
Prohibited Harassment	<p>Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student’s race, color, religion, sex, gender, sexual orientation, gender identity, 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">1. Affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;2. Has the purpose or effect of substantially or unreasonably interfering with the student’s academic performance; or3. Otherwise adversely affects the student’s educational opportunities.

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	Prohibited harassment includes dating violence as defined by law and this policy.
Examples	Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; 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.
Sex-Based Harassment	As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, gender-based harassment, and dating violence, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)]
Sexual Harassment By an Employee	<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">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; or2. The conduct is so severe, persistent, or pervasive that it:<ol style="list-style-type: none">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; orb. Creates an intimidating, threatening, hostile, or abusive educational environment. <p>Romantic or other 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 DH]</p>
By Others	Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

	<ol style="list-style-type: none">1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or3. Otherwise adversely affects the student's educational opportunities.
Examples	<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, contact, or communications, including electronic communication.</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>
Gender-Based Harassment	<p>Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:</p> <ol style="list-style-type: none">1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or3. Otherwise adversely affects the student's educational opportunities.
Examples	<p>Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; cyberharassment; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.</p>
Dating Violence	<p>Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these</p>

acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

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

**Reporting
Procedures**

Student Report

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

Employee Report

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

**Definition of District
Officials**

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

*Title IX
Coordinator*

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

<i>ADA / Section 504 Coordinator</i>	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]
<i>Superintendent</i>	The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.
Alternative Reporting Procedures	<p>An individual 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 appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.
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> <p>[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]</p>
Investigation of Reports Other Than Title IX	<p>The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to Sexual Harassment—Title IX.</p> <p>The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.</p>
Initial Assessment	<p>Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.</p> <p>If the District official determines that the allegations, if proved, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.</p>

Interim Action	If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.
District Investigation	<p>The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.</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>
Criminal Investigation	If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.
Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
<i>Notification of Outcome</i>	Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.
District Action <i>Prohibited Conduct</i>	If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.

Corrective Action	Examples of corrective action may include a training program for those involved in the report, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination and harassment.
<i>Bullying</i>	If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.
<i>Improper Conduct</i>	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.
Confidentiality	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
Appeal	A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.
Response to Sexual Harassment–Title IX	For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).
General Response	<p>When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:</p> <ul style="list-style-type: none">• Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;• Consider the complainant's wishes with respect to supportive measures; and• Explain to the complainant the option and process for filing a formal complaint.

	<p>The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.</p> <p>If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct.</p>
Title IX Formal Complaint Process	<p>To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."</p> <p>The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:</p> <ol style="list-style-type: none">1. Equitable treatment of complainants and respondents;2. An objective evaluation of all relevant evidence;3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;

	<ol style="list-style-type: none">8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;9. A description of the supportive measures available to the complainant and respondent;10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and12. Other local procedures as determined by the Superintendent.
Standard of Evidence	The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.
Retaliation	The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student who refuses to participate in any manner in an investigation under Title IX.
Examples	Examples of retaliation may include threats, intimidation, coercion, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
False Claim	A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.
Records Retention	<p>The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC]</p> <p>[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]</p>

Dripping Springs ISD
105904

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

**Access to Policy and
Procedures**

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

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APPENDIX I – Alcohol & Drug-Free Schools: Notice of Drug-Free Workplace ([Policy DH](#))

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

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

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

Exceptions

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

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

Sanctions

1. An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:
2. Referral to drug and alcohol counseling or rehabilitation programs;
3. Referral to employee assistance programs;
4. Termination from employment with the District; and
5. Referral to appropriate law enforcement officials for prosecution

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

	<p>Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. The District holds all employees accountable to the Educators' Code of Ethics. [See DH(EXHIBIT)]</p> <p>Each District employee shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.</p> <p>An employee wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]</p>
Violations of Standards of Conduct	<p>Each employee shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to his or her status as a District employee. Violation of any policies, regulations, or guidelines, including intentionally making a false claim, offering a false statement, or refusing to cooperate with a District investigation, may result in disciplinary action, including termination of employment. [See DCD and DF series]</p>
Weapons Prohibited	<p>The District prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.</p>
Exceptions	<p>No violation of this policy occurs when:</p> <ol style="list-style-type: none">1. A District employee who holds a Texas handgun license stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the District, provided the handgun or other firearm is not in plain view; or2. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]
Electronic Communication Use with Students	<p>A certified employee, licensed employee, or any other employee designated in writing by the Superintendent or a campus principal may use electronic communication, as this term is defined by law, with currently enrolled students only about matters within the scope of the employee's professional responsibilities.</p> <p>Unless an exception has been made in accordance with the employee handbook or other administrative regulations, an employee shall not use a personal electronic communication platform, application, or account to communicate with currently enrolled students.</p>

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

Unless authorized above, all other employees are prohibited from using electronic communication directly with students who are currently enrolled in the District. The employee handbook or other administrative regulations shall further detail:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with individual students or student groups;
3. Hours of the day during which electronic communication is discouraged or prohibited; and
4. Other matters deemed appropriate by the Superintendent or designee.

In accordance with ethical standards applicable to all District employees [see DH(EXHIBIT)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a District student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student, as described in the Educators' Code of Ethics.

An employee shall have no expectation of privacy in electronic communications with students. Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic communication. [See CPC]

Personal Use	All employees shall be held to the same professional standards in their public use of electronic communication as for any other public conduct. If an employee's use of electronic communication violates state or federal law or District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.
Reporting Improper Communication	In accordance with administrative regulations, an employee shall notify his or her supervisor when a student engages in improper electronic communication with the employee.
Disclosing Personal Information	An employee shall not be required to disclose his or her personal email address or personal phone number to a student.
Safety Requirements	Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

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EMPLOYEE STANDARDS OF CONDUCT

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(LOCAL)

Harassment or Abuse

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

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

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

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

Relationships with Students

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

As required by law, the District shall notify the parent of a student with whom an educator is alleged to have engaged in certain misconduct. [See FFF]

Tobacco and E-Cigarettes

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

Alcohol and Drugs / Notice of Drug-Free Workplace

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

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

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

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	<p>4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.</p> <p>An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.</p>
Exceptions	<p>It shall not be considered a violation of this policy if the employee:</p> <ol style="list-style-type: none">1. Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.
Sanctions	<p>An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:</p> <ol style="list-style-type: none">1. Referral to drug and alcohol counseling or rehabilitation programs;2. Referral to employee assistance programs;3. Termination from employment with the District; and4. Referral to appropriate law enforcement officials for prosecution.
Notice	<p>Employees shall receive a copy of this policy.</p>
Arrests, Indictments, Convictions, and Other Adjudications	<p>An employee shall notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:</p> <ol style="list-style-type: none">1. Crimes involving school property or funds;2. Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or4. Crimes involving moral turpitude, which include:<ul style="list-style-type: none">• Dishonesty; fraud; deceit; theft; misrepresentation;

EMPLOYEE STANDARDS OF CONDUCT

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- Deliberate violence;
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
- Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
- Felony driving while intoxicated (DWI); or
- Acts constituting abuse or neglect under the Texas Family Code.

Dress and Grooming

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

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APPENDIX J – Technology Acceptable-Use Guidelines

DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT ACCEPTABLE USE OF TECHNOLOGY GUIDELINES - STAFF

Dripping Springs Independent School District's technology system and resources will be used primarily for educational and administrative purposes consistent with DSISD's vision, mission, and goals. Specifically, DSISD's system will be used to enhance and extend learning, facilitate communication, promote innovation, and provide tools for productivity.

DSISD expects employees to practice and model digital citizenship and to use district resources safely and ethically. The district Acceptable Use Policy [see Policy CQ] and Guidelines apply to use of district resources and job-related duties regardless of the location or equipment used.

Access to the System

Access to DSISD's electronic communications system will be governed as follows:

- With a signed employee handbook (which acknowledges the Acceptable Use Policy and Guidelines) receipt on file, DSISD employees will be granted access to DSISD's system, as appropriate.
- DSISD's Acceptable Use Policy and Guidelines will govern all use of DSISD's system. Employee use will also be governed by other relevant district policy, Technology Operating Procedures, and the Employee Handbook.
- Users may connect personal equipment only to networks designated as BYOD networks. Users who wish to use personal software on DSISD devices must secure approval from a DSISD technology administrator.
- Any system user identified as a security risk or as having violated DSISD and/or campus technology use guidelines may be denied access to DSISD's system with or without notice.

Responsibilities - Supervisor

As the local supervisor for DSISD's system, the Principal, Director, or designee will:

- Enforce applicable DSISD policies and Acceptable Use Guidelines at the campus level and ensure that all users have a signed acknowledgement of the AUP and Guidelines.
- Ensure campus/department employees receive proper training in the use of the system and the requirements of the AUP and Guidelines. Lack of a signed agreement does not indicate the user's right to disregard the policy or guidelines.
- Be authorized to monitor or examine all system activities and data, including email transmissions, as deemed appropriate to ensure proper use of the system.

As the district-level supervisor, the Superintendent's designee(s) will:

- Disseminate, implement, and enforce applicable DSISD policies and Acceptable Use Guidelines.
- Carry out the daily operations of the DSISD system and equipment and advise and/or make recommendations on the use of technology resources and systems.

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- Language or material that advocates illegal acts.
 - Language or material that endorses or disparages any religion or lack of religious participation.
- Users will not engage in personal attacks, including prejudicial or discriminatory attacks and will not post false or defamatory information or material.
- Users will not harass another person, engage in cyberbullying, or transmit material that may damage another's reputation. If a user is told by a person to stop sending him or her messages, the user must stop.
- If a user inadvertently accesses inappropriate material, he or she should discontinue the access and immediately notify the supervising administrator or a technology staff member.
- Users must be mindful that use of DSISD-related electronic mail addresses might cause some recipients or other readers of that mail to assume they represent DSISD, whether or not that was the user's intention.
- Users must not use DSISD equipment or systems for personal monetary gain or commercial purposes.
- Users may not use the system for political lobbying, as defined by state statute. Users may use the system to communicate with their elected representatives and to express their opinion on political issues.
- Users are responsible for retaining (backing up) and purging electronic mail in accordance with established retention guidelines.
- System Security:
 - Users are responsible for the use of their individual account and should take all reasonable precautions to prevent others from being able to use their account (e.g., log out of devices and web applications each time). Users should not provide passwords to another person.
 - Users will immediately notify a technology administrator or campus supervisor if they have identified a possible security problem. Users will not search for security problems, as this action may be construed as an illegal attempt to gain access.
 - Users will avoid the inadvertent spread of computer viruses by following DSISD's virus protection procedures.
 - Employees must follow digital safety guidelines as published in the Technology Operating Procedures manual.
- Plagiarism and Copyright Infringement
 - Users may not redistribute copyrighted programs or data except with the written permission of the copyright holder or designee. Such permission must be specified in the document or must be obtained directly from the copyright holder or designee in accordance with applicable copyright law, DSISD policy, and administrative regulations.
- Personally identifiable information about a DSISD student and student-created original work may be posted on web pages maintained by DSISD only in accordance with the provisions below under "District Website and Social Media."
- As with all other school policies and guidelines, all staff share the responsibility of monitoring and guiding students in the appropriate use of technology.

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Privacy, Search, and Seizure

Users have a limited privacy expectation in the contents of their personal files on DSISD's system. Routine maintenance and monitoring of the system or files may lead to discovery that a user has violated or is violating the District Acceptable Use Policy and Guidelines, district policies and procedures, or the law. Additionally, an individual search will be conducted if there is reasonable suspicion that a user has violated the Acceptable Use Policy and Guidelines, district policies and procedures, or law. Furthermore, users should be aware that their personal files may be discoverable under state public records laws.

Selection of Material

When using the Internet or other electronic resources for class activities, instructional staff must

- select materials that are age-appropriate and relevant to learning objectives.
- preview all materials and sites to be used for instruction in order to determine appropriateness.
- consider CIPA, FERPA, PPRA, and COPPA requirements in the selection of material.
- provide guidelines to assist their students in selecting materials and channeling their activities effectively and properly.
- assist their students in developing the skills to ascertain the truthfulness of information, distinguish fact from opinion, and engage in discussions about controversial issues while demonstrating tolerance and respect for those who hold divergent views.

Prior to using or assigning the use of any software, subscription, or other resource requiring student accounts or student information, staff must follow the New Software Approval Process. Staff must not provide student accounts or student information to any site or app that has not been approved by DSISD per the approval process.

District Website and Social Media

DSISD will maintain a District website for the purpose of informing and communicating with employees, students, parents, and the community regarding DSISD news, programs, policies, practices, and other information. The Executive Director of Communications will establish guidelines for the development and format of web pages controlled by DSISD. Some general guidelines, however, are as follows:

- Names, student work, and photos of students may be placed on DSISD web pages and professional social media sites only as indicated on the annual DSISD Parental Objection form.
- Staff maintaining web pages and social media accounts will be responsible for ensuring that student identification procedures are followed to ensure that parents have permitted use of student information.
- No user will be permitted to publish personal webpages using District resources. Additionally, student names, work, and photos may not be placed on personal webpages or personal social media accounts.
- No commercial advertising will be permitted on a website maintained by DSISD without the approval of the Executive Director of Communications.

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Termination / Revocation of System User Account or Access

Termination of a user's access for violation of DSISD policies or regulations or for separation from DSISD will be effective on the date the Principal or District Technology Director receives notice of revocation of system privileges or employee separation from employment, or on a future date if so specified in the notice. There is no requirement for DSISD to notify any user of account revocation, and the user should have no expectation of notification before or after access revocation.

Filtering/Third-Party Information/Disclaimer

To the extent practical, technology protection measures (or "Internet filters") shall be used to filter all Internet access and block inappropriate material. Specifically, as required by the Children's Internet Protection Act, the categories of material considered inappropriate and to which access will be blocked will include, but not be limited to:

- nudity/pornography
- images or descriptions of sexual acts
- promotion of violence, illegal use of weapons, drug use, discrimination, or participation in hate groups
- instructions for performing criminal acts (e.g., bomb making)
- online gambling

Users with access to DSISD's system should be aware that, despite DSISD's use of technology protection measures as required by law, use of the system may provide access to other electronic communications systems in the global electronic network that may contain inaccurate and/or objectionable material. An employee knowingly bringing prohibited materials into the school's electronic environment will be subject to disciplinary action in accordance with DSISD policies and guidelines.

DSISD's system is provided on an "as is, as available" basis. DSISD does not make any warranties, whether express or implied, including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the system and any information or software contained therein. DSISD does not warrant that the functions or services performed by, or that the information or software contained on the system will meet the system user's requirements, or that the system will be interrupted or error free, or that defects will be corrected.

Opinions, advice, services, and all other information expressed by system users, information providers, service providers, or other third-party individuals in the system are those of the providers and not DSISD.

DSISD will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of DSISD's electronic communications system.

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APPENDIX K – Solicitation Guidelines

DRIPPING SPRINGS ISD SOLICITATION GUIDELINES

- Solicitors and/or representatives of public, private, or professional organizations are not allowed on DSISD campuses.
- An agent may not solicit business from DSISD campus employees.
- The district's Third Party Administrator (TPA) will have assigned days and time requirements.
- Solicitors do not have permission to send sales materials to the employee's campus through inter-office mail and are not permitted to make phone calls to employees during normal work hours.
- As part of the district's advertising program, local businesses have options to partner with the district through defined methods such as the "employee reach" package; these opportunities are coordinated by the Communications Department.

APPENDIX L – Sick Leave Bank Application



SICK LEAVE BANK MEMBERSHIP APPLICATION

Membership in the Dripping Springs ISD Sick Leave Bank is available to all eligible employees. Employees may only enroll in the bank during the annual enrollment period which ends at the close of business on the last Friday in September, or within 30 days of employment, whichever is later. This is a *voluntary* program, so a response is necessary only if an employee desires to join.

To be eligible for membership, the employee:

1. Must be eligible to accrue state personal and local leave at Dripping Springs ISD.
2. Must be a regular employee of Dripping Springs ISD (regular employee is defined as an employee who is required to work at least twenty hours per week, and at least four and one-half months each fiscal year).
3. May enroll as a new member of the sick leave bank only during the open enrollment period, or within 30 days of initial employment by the district.
4. Must contribute 1 day of state personal or local leave to the sick leave bank. The required contribution of 8 hours will apply to both full-time and part-time employees.

Please sign below and return this document to the Office of Human Resource Services.

Choose one

I choose to donate: ☐ One Local Leave Day ☐ One State Personal Leave Day

I have read the eligibility rules concerning the Sick Leave Bank benefits and desire to participate by donating one (1) of my available state personal or local days to the Bank. I understand that participation in the Bank is voluntary.

I understand that once donated to the Bank to become a member, this one (1) day will be subtracted from my state personal or local leave days available for use this year.

I understand that Sick Leave Bank membership requires annual re-enrollment and annual contribution of one day of leave in order to continue participation.

My signature below authorizes HR and Payroll to place one (1) state personal or local day in the Dripping Springs ISD Sick Leave Bank and remove that day from my total available leave for this school year in order to gain membership in the Bank. I understand my "Employee Access" information will verify placement of that donated day in the Bank.

Employee Name (please print): _____

School or Department: _____ Position: _____

Signature: _____ Date signed: _____

APPENDIX M – Child Abuse Reporting Notice ([Policy FFG \(LOCAL\)](#); [DSISD Plan for Addressing Sexual Abuse of Children](#))

Dripping Springs ISD
105904

STUDENT WELFARE
CHILD ABUSE AND NEGLECT

FFG
(LOCAL)

	<p>and the person determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.</p> <p>[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]</p>
Restrictions on Reporting	<p>In accordance with law, an employee is prohibited from using or threatening to use a parent's refusal to consent to administration of a psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:</p> <ol style="list-style-type: none">1. Presents a substantial risk of death, disfigurement, or bodily injury to the child; or2. Has resulted in an observable and material impairment to the growth, development, or functioning of the child.
Making a Report	<p>Reports may be made to any of the following:</p> <ol style="list-style-type: none">1. A state or local law enforcement agency;2. The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (DFPS) at (800) 252-5400 or the Texas Abuse Hotline Website¹;3. A local CPS office; or4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred. <p>However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.</p> <p>An individual does not fulfill his or her responsibilities under the law by only reporting suspicion of abuse or neglect to a campus principal, school counselor, or another District staff member. Furthermore, the District is prohibited from requiring an employee to first report his or her suspicion to a District or campus administrator.</p>
Confidentiality	<p>In accordance with state law, the identity of a person making a report of suspected child abuse or neglect shall be kept confidential</p>

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	and disclosed only in accordance with the rules of the investigating agency.
Immunity	A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.
Failing to Report Suspected Child Abuse or Neglect	<p>By failing to report suspicion of child abuse or neglect, an employee:</p> <ol style="list-style-type: none">1. May be placing a child at risk of continued abuse or neglect;2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report;3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment; and4. May have his or her certification from the State Board for Educator Certification suspended, revoked, or canceled in accordance with 19 Administrative Code Chapter 249. <p>It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.</p>
Responsibilities Regarding Investigations	<p>In accordance with law, District officials shall be prohibited from:</p> <ol style="list-style-type: none">1. Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect;2. Requiring that a parent or school employee be present during the interview; or3. Coercing someone into suppressing or failing to report child abuse or neglect. <p>District personnel shall cooperate fully and without parental consent, if necessary, with an investigation of reported child abuse or neglect. [See GKA]</p>

¹ Texas Abuse Hotline Website: <http://www.txabusehotline.org>

Dripping Springs Independent School District Plan for Addressing Sexual Abuse of Children

(As Required by HB 1041)

What is Sexual Abuse of a Child?

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.

Methods for Increasing Awareness Regarding Sexual Abuse of Children

Teachers: All Teachers will be trained in all content areas addressed in the Dripping Springs ISD Plan for Addressing Sexual Abuse of Children. Training may be provided online or through training conducted by campus staff, district staff, or outside agencies as appropriate at the discretion of the campus administration. Training will include contents of the adopted board policy FFG (LEGAL) and pertinent FFG exhibits.

Students: District counseling staff will address issues to increase awareness regarding sexual abuse of children and anti-victimization programs with age appropriate conversation and materials periodically as determined appropriate by campus administration. Information will be provided in classroom group lessons in grades Pre-K through 6. Awareness regarding sexual abuse of children will be addressed with students in grades 7 – 12 through health classes.

Parents: Information concerning the district Plan for Addressing Sexual Abuse of Children will be posted on the DSISD website and in the student handbook. The student handbook (which is available both in printed format and online at the district website) will include the following information:

CHILD SEXUAL ABUSE

The district has established a plan for addressing child sexual abuse, which may be accessed at the district website. As a parent, 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). Possible physical warning signs of sexual abuse could be difficulty sitting or walking, pain in the genital areas, and claims of stomachaches and headaches. Behavioral indicators may include verbal references or pretend games of sexual activity between adults and children, fear of being alone with adults of a particular gender, or sexually suggestive behavior. Emotional warning signs to be aware of include withdrawal, depression, sleeping and eating disorders, and problems in school. A child who has experienced sexual abuse should be encouraged to seek out a trusted adult. Be aware as a parent or other trusted adult that disclosures of sexual abuse may be more indirect than disclosures of physical abuse, and it is important to be calm and comforting if your child, or another child, confides in you. Reassure the child that he or she did the right thing by telling you. As a parent, if your child is a victim of sexual abuse, the campus counselor or principal will provide information regarding counseling options for you and your child available in your area. The Texas Department of Family and

Protective Services (TDFPS) also manages early intervention counseling programs. To find out what services may be available in Hays county, see: [www.dfps.state.tx.us/Prevention and Early Intervention/Programs Available In Your County/default.asp](http://www.dfps.state.tx.us/Prevention%20and%20Early%20Intervention/Programs%20Available%20In%20Your%20County/default.asp).

The following Web sites might help you become more aware of child sexual abuse:

- <http://www.tea.state.tx.us/index.aspx?id=2820>
- <http://sapn.nonprofitoffice.com/>
- <http://www.taasa.org/member/materials2.php>
- http://www.oag.state.tx.us/AG_Publications/txts/childabuse1.shtml

Warning Signs in Children and Adolescents of Possible Child Sexual Abuse

Any one sign doesn't mean that a child was sexually abused, but the presence of several suggests that you begin asking questions and consider seeking help. Keep in mind that some of these signs can emerge at other times of stress such as:

- During a divorce
- Death of a family member or pet
- Problems at school or with friends
- Other anxiety-inducing or traumatic events

Possible Psychological and Behavioral Signs of Sexual Child Abuse

- Changes in sleeping patterns
- Bedwetting
- Nightmares or bad dreams
- Depression, irritability, or anger
- Low self-esteem, guilt, shame
- Avoidance of people or places
- Sexual advances or "touching" inappropriately
- Sexual drawings
- Changes in socialization (social withdrawal or social isolation)

Possible Physical Symptoms

- Becomes pregnant or contracts a venereal disease, particularly if under age 14
- Trauma to the mouth or genitals
- Rectal bleeding
- Pain around the genital area
- Poor appetite
- Weight loss or weight gain

Behavior You May See in a Child or Adolescent

- Has nightmares or other sleep problems without an explanation
- Seems distracted or distant at odd times
- Has a sudden change in eating habits
- Refuses to eat
- Loses or drastically increases appetite
- Has trouble swallowing
- Sudden mood swings: rage, fear, insecurity or withdrawal

- Leaves “clues” that seem likely to provoke a discussion about sexual issues
- Writes, draws, plays or dreams of sexual or frightening images
- Develops new or unusual fear of certain people or places
- Refuses to talk about a secret shared with an adult or older child
- Talks about a new older friend
- Suddenly has money, toys or other gifts without reason
- Thinks of self or body as repulsive, dirty or bad
- Exhibits adult-like sexual behaviors, language and knowledge

Signs More Typical of Younger Children

- An older child behaving like a younger child (such as bed-wetting or thumb sucking)
- Has new words for private body parts
- Resists removing clothes when appropriate times (bath, bed, toileting, diapering)
- Asks other children to behave sexually or play sexual games
- Mimics adult-like sexual behaviors with toys or stuffed animal
- Wetting and soiling accidents unrelated to toilet training

Signs More Typical in Adolescents

- Self-injury (cutting, burning)
- Inadequate personal hygiene
- Drug and alcohol abuse
- Sexual promiscuity
- Running away from home
- Depression, anxiety
- Suicide attempts
- Fear of intimacy or closeness
- Compulsive eating or dieting

Consider the Possibility of Sexual Abuse when the Parent or Other Adult Caregiver

- Is unduly protective of the child or severely limits the child’s contact with other children, especially of the opposite sex
- Is secretive and isolated
- Is jealous or controlling with family members

Physical Warning Signs

Physical signs of sexual abuse are rare. If you see these signs, bring your child to a doctor. Your doctor can help you understand what may be happening and test for sexually transmitted diseases.

- Pain, discoloration, bleeding or discharges in genitals, anus or mouth
- Persistent or recurring pain during urination and bowel movements
- Wetting and soiling accidents unrelated to toilet training

Suspect Physical Abuse When You See . . .

- Frequent injuries such as bruises, cuts, black eyes or burns, especially when the child cannot adequately explain their causes
- Burns or bruises in an unusual pattern that may indicate the use of an instrument or a human bite; cigarette burns on any part of the body
- Frequent complaints of pain without obvious injury
- Aggressive, disruptive and destructive behavior

- Lack of reaction to pain
- Passive, withdrawn, emotionless behavior
- Fear of going home or seeing parents
- Injuries that appear after the child has not been seen for several days
- Unseasonable clothes that may hide injuries to arms or legs

Suspect Neglect When You See . . .

- Obvious malnourishment
- Lack of personal cleanliness
- Torn and/or dirty clothes
- Obvious fatigue and listlessness
- A child unattended for long periods of time
- Need for glasses, dental care or other medical attention
- Stealing or begging for food
- Frequent absence or tardiness from school

Available Counseling Options and Other Resources

- Sexual Assault Legal Hotline: 1-888-296-SAFE (Statewide)
1-512-225-9290 (Austin)
- Family Violence Legal Line: 1-800-374-HOPE (Statewide)
1-512-476-5770 (Austin)
- [Hays-Caldwell Women's Center \(HCWC\)](#) provides education, violence prevention services and crisis intervention to victims of family violence, dating violence, sexual assault and child abuse.
- [Roxanne's House](#), the Children's Advocacy Center serves Hays and Caldwell Counties, and is part of HCWC.
 - HWCC 24 Hour Hotline: 1-800-700-4292
 - In case of emergency, call 911.
 - If you're being abused or have questions about your relationship and you need help, call our hotline (512)-396-HELP. It's free and confidential.
- [The Safe Alliance](#) provides support in ending sexual assault, harassment, and exploitation, child abuse and domestic violence. This resource serves Travis County.
 - Confidential, 24-hour SAFeline Call: 512.267.SAFE (7233)
 - Text: 737.888.7233
 - Chat: safeaustin.org/chat
 - Deaf people of all identities, please use relay/VRS
- [Stop It Now!](#) provides a national helpline for supportive guidance, information, and resources. The Helpline is staffed by professionals who can provide assistance in how to deal with suspected child abuse situations. Additional resources are available on their website.
 - Helpline 1-888-PREVENT
 - Email helpline@stopitnow.org
 - Website www.stopitnow.org

APPENDIX N – Standard Response Protocols



INDEPENDENT SCHOOL DISTRICT



Secure! / Formerly “Lockout!” Secure the Perimeter

“Secure the perimeter by bringing students and staff inside due to suspicious person, chemical spill, dangerous animal, etc.”

- Teachers or Administration lock outside doors
- Recover students and staff from outside building
- Report any outside concerns to campus administration immediately
- Take roll and account for students.
- Do business as usual.
- Develop increased situational awareness.
- Be prepared to perform any actions required. Lockdown, Evacuate, or Shelter, as directed by alarm, announcement or personal notification. Utilize the red and green card system if required.

Lockdown! Locks, Lights, Out of Sight



“Gunfire, Violent Intruder, Dangerous Animal, etc”

- There will be an announcement over the loudspeaker or a message delivered in person when it is time to move into lockdown procedures.
- As teachers go out to lock their door, they are to scan the hallway and bring all students from outside and hallways into their pre-designated area / classroom. Do not linger in the hallway.
- Do not stick your head out of the classroom door or open the door for anyone once it is locked. Students stuck on the outside of a locked door need to be directed to go to the closest safe spot to hide (example – restrooms)
- If a teacher cannot lock their door, they are to take student to a nearby lockable room or area, combining classes if necessary.
- Lock the door, turn off the lights, close the blinds, and get out of sight.
- Keep students silent and out of view of windows.
- Teachers will take roll to account for each student.
- **Do not let any student or staff member in or out of the room until the Law Enforcement individually clears each room. Each campus will move from lockdown status by Law Enforcement individually clearing the campus.**
- **Campuses will move from “Lockdown” to “Evacuation” as directed by Law Enforcement officers only.**



Evacuate! To the Stated Location “Using the Announced Type and Location” (Fire, Gas Leak, Bomb Threat, etc.)

- Begin evacuation procedures when you hear the fire alarm or are told to do so by an administrator. If law enforcement is conducting the evacuation, follow their instructions.
- Take the room’s Emergency Go Kit with you outside.
- Move quickly and silently in a single file line holding the person’s hand in front of and behind you out of the building, exiting to your assigned area outside using the pre-determined evacuation routes. If the exit is blocked, then exit out of the closest safe location.
- Turn off lights and close the classroom door upon exit.
- Organize students at the designated evacuation location and take roll to account for all students.
- Utilize the red /green card system if requested
- Maintain quiet, calm control during the entire procedure.
- Be alert to direction from a recognizable staff person to either resume normal activities or move to another location (secondary evacuation). Do not touch any unidentified, suspicious items.

In the event of an evacuation before school, lunch, after school or other time when students are not in classrooms, students will evacuate using posted routes and will be supervised by any available staff members.

Secondary Evacuation

If necessary, staff may need to move students to a secondary central location on the campus grounds or it may be necessary to secure students to prepare for an alternate evacuation site. Staff will be told by campus administration and or law enforcement, when and where to evacuate to a secondary location on campus or to an alternate location off the effected campus.

Evacuation to Alternate Location

In the event of a disaster or emergency, the school may close and the students and staff would be transported to another location. District Reunification sites will be established per the event

All campuses have a plan to be a reunification site.

Do not confront a person who appears to be violent.

CALL 911 Immediately!





Shelter! For Specific Reason

“Hazmat, Hold, Tornado, Severe Weather”

- An announcement will be made over the intercom when it is necessary to move into Shelter!



Hazmat

- Seal all doors, vents, windows that open
- HVAC will be turned off to prevent transference
- Use Go Bags (see Attachment)



Hold for Investigation

- Perform a “Secure” in each classroom as law enforcement investigates potential issues.
- Don’t move until LE or Administration releases



Tornado

- Teachers will direct students away from windows and outside walls.
- Students will take shelter in either their classroom or in the hallway, as directed by their administration.
- Students will be directed to:
 - Face an interior wall
 - Sit on their bottoms, legs crossed and fold their bodies forward
 - Close their eyes, head and neck with their arms, leaving as little skin exposed as possible
 - Remain silent
- Sheltered areas should be at least 30 feet or more away from glass doors.
- Avoid gyms, cafeterias or other large areas with high walls and roofs during tornadoes.
- Teachers will take roll to account for each student.



Severe Weather

- Lightning & Thunder Storms may require shelter and will be called on an as needed basis.

If the building is struck or damaged by a Tornado, Lightning, Flood, or other Severe Weather:

- Evacuate damaged areas cautiously using evacuation procedures.
- Move injured persons as little as possible.
- All injuries should be noted and all missing should be reported immediately.

If **contaminated air** is suspected:

- Cover mouth and nose with cloth.
- Turn off all electrical appliances, fans, air conditioners, heaters, etc.
- Seal room windows and doors with wet towels, wet clothing or tape (as available).



Reunification!

This will move into a **Reunification** where staff and students will reunite with Family members. Staff will take their Emergency Go Kit with them when they move to the alternate location.

When traveling by bus:

- **Check the student roll as they board the bus**
- **Stay with the students on the bus and when they arrive at the designated location.**

Upon arrival:

- **Organize students in the area designated by campus administration or law enforcement.**
- **Utilize the red /green card system if requested**
- **Do not allow any student to leave the premises without utilizing “The Planned Student-Parent Reunification Process.”**

The “Planned Student-Parent Reunification Process” means that teachers will not directly release students to parents in an emergency. In the event of a Reunification, a centralized check out will be set up that parents will access. Students will only be allowed to leave their group when they are notified to release them by an administrator or designee and they will then go through the centralized check out location to be released to the parent or guardian.

In an Active Shooter Event, the Hays County, “One County One Protocol” will establish the County Reunification Site for all students and staff involved in the event. This site will be run by the Hays EMC Officials, CERT Members, the Constables offices, and the designated District hosting the Reunification Site. DSISD Administrative Staff and IT Administration will provide all relevant information needed to facilitate the Reunification. DSISD Administrators will help facilitate the administrative portion of the parent to student hand off of the “Planned Student-Parent Reunification Process”. Crisis Counselors will be provided at the reunification site continuing on throughout the recovery process.



APPENDIX O – Freedom from Bullying ([Policy FFI](#))

Dripping Springs ISD
105904

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

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Note: This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying. For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.	
<hr/>	
Bullying Prohibited	The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.
Examples	Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.
Retaliation	The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.
Examples	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
False Claim	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.
Timely Reporting	Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.
Reporting Procedures	To obtain assistance and intervention, 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, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.
Student Report	
Employee Report	Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

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Report Format	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
Notice of Report	When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.
Prohibited Conduct	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender identity, sexual orientation, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
Investigation of Report	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
Concluding the Investigation	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.</p> <p>The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.</p>
Notice to Parents	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.
District Action Bullying	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.
<i>Discipline</i>	A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

	The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.
<i>Corrective Action</i>	Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.
<i>Transfers</i>	The principal or designee shall refer to FDB for transfer provisions.
<i>Counseling</i>	The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.
Improper Conduct	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.
Confidentiality	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.
Appeal	A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.
Records Retention	Retention of records shall be in accordance with CPC(LOCAL).
Access to Policy and Procedures	This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

APPENDIX P – DSISD Social Media Guidelines



Dripping Springs ISD

SOCIAL MEDIA GUIDELINES

DO

- Use a DSISD email address to create classroom/campus/department accounts.
- Follow law, regulations, DSISD Acceptable Use Guidelines, Board policy, Educators' Code of Ethics, FERPA, COPPA or copyright and legal guidelines.
- Before posting photos of students, check in Family Access to make sure all students in the photo have been granted permission to be shown on social media.
- Before posting any content that could be considered sensitive, consult with a principal or the district communications staff.
- Refer any media requests/comments on a post to the Executive Director of Communications.
- For teachers who use social media regularly, inform parents about what platforms will be used and how they will be used.
- Proof all content before posting.
- Be aware that content is available in a public domain and represents the campus and DSISD. For instance, news media can use comments or images that are posted.
- Understand that negative feedback or comments could be posted.
- Post content that shows good moral character.
- Show off the great things happening in your classroom and on campus!
- Contact the Communications Office if you have any questions or run into any trouble online.

DON'T

- Don't share login information with parents or students.
- Don't use social media to tell stories that don't reflect well on you or your profession. This isn't the place to complain about students, administrators or long hours worked.
- Don't comment on students' social media posts, even if it's positive.
- Be aware that anything posted to *personal* accounts reflects on you as a professional and indirectly on your school and district.
- Don't post student photos or names on any personal profiles without parental consent.
- Don't use district logos on personal social media profiles or imply that a personal account is related to the district.
- Don't accept student friend requests.
- Don't engage in or post about inappropriate social, sexual, harassing, or abusive content related to a student, coworker, trustee or parent.
- Don't violate professional standards for public conduct including violations of state or federal law, District policy, or the Educators' Code of Ethics.
- Don't post content that is discriminatory or retaliatory toward a student, coworker, trustee or parent.
- Don't misrepresent facts or make false statements against DSISD or any campus, student, coworker, trustee or parent.
- Don't post confidential student information or content that adversely affects student learning, mental health, or safety.

Employee Handbook Receipt

I hereby acknowledge that I have access to and I accept responsibility for reading the [Dripping Springs ISD Employee Handbook](#). I understand I also have the option of receiving the handbook in hard copy. I agree to read the handbook and abide by the standards, policies, and procedures defined and referenced in the handbook.

The information in the handbook is subject to change. I understand changes in district policies may supersede, modify, or render obsolete the information summarized in the handbook. As the district provides updated policy information, I accept responsibility for reading and abiding by the changes.

I understand the handbook does not modify a contractual employment relationship nor alter an at-will employment relationship.

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

Please check one option:

- ☐ I choose to receive the handbook electronically and accept responsibility for accessing the handbook via the district's website.
- ☐ I choose to receive a hard copy of the employee handbook, and I understand I am required to contact Human Resources to obtain a hard copy.

Printed Name: _____	Campus/Dept.: _____
Signature: _____	Date: _____

Note: Sign and date this receipt and forward to your campus or department office.

SI USTED NECESITA AYUDA A TRADUCIR CUALQUIER PARTE DE LA GUIA, MANUAL de NORMA, AVISE LA OFICINA de SU ESCUELA O DEPARTAMENTO.

Original signed copies of employees' handbook receipts will be stored in the district's central office HR files.