
EMPLOYEE HANDBOOK



Port Neches-Groves Independent School District

Revised and Approved July 12, 2021

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Introduction

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

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

PORT NECHES-GROVES ISD Employee Handbook Receipt

Name _____

Campus/department _____

I agree to read the Port Neches-Groves ISD employee handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy. The electronic format of the handbook can be found at the District Website at www.pngisd.org. Follow the links: Departments/Administrative & HR Services/Employee Handbook.

If you choose to receive a hard copy of the employee handbook, please see your campus principal's office.

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

I understand that no modifications to contractual relationships or alterations of at-will employment relationships are intended by this handbook.

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

Signature

Date

AGREEMENT: By signing this Electronic Signature Acknowledgment Form, I agree that my electronic signature is the legally binding equivalent to my handwritten signature. Whenever I execute an electronic signature, it has the same validity and meaning as my handwritten signature. I will not, at any time in the future, repudiate the meaning of my electronic signature or claim that my electronic signature is not legally binding.

*Note: The employee handbook receipt is sent electronically to all employees through the district's TalentEd Records software. Once the employee signs their receipt electronically the form is sent to their on-line personnel folder for record keeping.

District Information

Description of the District

The District serves the two communities of Port Neches and Groves in southeast Jefferson County and encompasses some 28 square miles. Approximately 4800 students are enrolled on the nine campuses.

District Map

The District map can be found on the District Website: www.pngisd.org and then follow the links Our District/District Map.

Mission Statement, Goals, and Objectives

Policy AE

Mission Statement: Port Neches-Groves ISD is committed to a tradition of excellence in education. The combined efforts of the students, staff, parents, and community will provide a safe learning environment that empowers all students to pursue lifelong learning and become responsible, productive citizens.

Vision Statement: Our students will model academic success and integrity in all endeavors. Through dedicated teaching, inspired leadership, and an active community our students will be prepared to meet the challenges of the future.

Board of Trustees

Policies BA, BB, BD, and BE series

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

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

Current board members include:

- Dr. Scott Bartlett, President
- Brandon Cropper, Vice President
- Dustin Marsh, Secretary
- Lana Parker, Member
- Dallon James, Member
- Jake Lefort, Member
- Eric Sullivan, Member

Unless otherwise provided in the notice for a meeting, Board meetings shall be held in the LGI Room of Port Neches-Groves High School, 1401 Merriman, Port Neches, Texas. Regular meetings of the Board are held on the second Monday of each month at 6:00 p. m.

Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the Administration Building and on the district web site (www.pngisd.org) at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

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

Board Meeting Schedule for 2021-22

September 13, 2021
October 11, 2021
November 8, 2021
December 13, 2021
January 10, 2022
February 14, 2022
March 14, 2022 (Subject to Change)
April 11, 2022
May 9, 2022
June 13, 2022
July 11, 2022
August 8, 2022

Administration and School Directory

Dr. Mike Gonzales, Superintendent
Julie Gauthier, Deputy Superintendent
Sheri Drawhorn, Business Manager

Port Neches-Groves High School 729-7644

1401 Merriman, Port Neches 77651

Dr. Scott Ryan, Principal

Alternative Campus 722-5924

1810 Port Neches Avenue, Port Neches 77651

Brian Waguespack, Executive Director of Student Services

Groves Middle School 962-0225

5201 Wilson, Groves 77619

Dr. Paul Bryan, Principal

Port Neches Middle School 722-8115

749 Central, Port Neches 77651

Kyle Hooper, Principal

Groves Elementary School..... 962-1531

3901 Cleveland, Groves 77619

Mandie Champagne, Principal

Port Neches Elementary School..... 722-2262

2101 Llano, Port Neches 77651

Kimberly Carter, Principal

Ridgewood Elementary..... 722-7641

2820 Merriman, Port Neches 77651

Kevin Schexnaider, Principal

Taft Elementary 962-2262

2500 Taft, Groves 77619

Staci Gary, Principal

Van Buren Elementary..... 962-6511

6400 Van Buren, Groves 77619

Joe Cegielski, Principal

Woodcrest Elementary..... 724-2309

1522 Heisler, Port Neches 77651

Angela Abel, Principal

West Groves Early Learning Center.....963-1215

5856 9th Ave, Port Arthur 77642

Tanya Davis, Principal

Employment

Equal Employment Opportunity

Policies DAA, DIA

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

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**: Julie Gauthier, Deputy Superintendent, 620 Avenue C, Port Neches, TX 77651, gauthier@pngisd.org, 409-722-4244 ext. 1725. 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: Julie Gauthier, Deputy Superintendent, 620 Avenue C, Port Neches, TX 77651, gauthier@pngisd.org, 409-722-4244 ext. 1725.

Employees with questions or concerns relating to discrimination on any of the bases listed above should contact the Superintendent or Deputy Superintendent.

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on the district's web site. www.pngisd.org

Employment after Retirement

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in limited circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment After Retirement*.

Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Web Site (www.trs.state.tx.us).

Contract and Noncontract Employment

Policies DC, DCA, DCB, DCC, DCD, DCE

State law requires the district to employ all full-time professional employees in positions requiring a certificate from 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 at least a two-year lapse in district employment also may 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. The campus principal may, however, recommend to the Superintendent that a teacher be employed under a term contract after the second probationary year.

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 are available at the District Website www.pngisd.org and follow the links Departments/Administrative & HR Services/Personnel Policy. Educator term contracts shall be provided also to persons in the following positions for which the District requires current SBEC certification: deputy superintendent; curriculum coordinators; director of alternative education; director of special education; and coordinator of student services.

Noncertified professional and administrative employees. In addition, educator term contracts shall be provided for the following positions for which neither SBEC nor the District requires current SBEC certification: speech therapists; assistant speech therapist; database coordinator; director of child nutrition; director of information services, safety and homeland security; director of facilities and maintenance, coordinator of transportation and the business manager.

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

Certification and Licenses

Policies DBA, DF

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the Deputy Superintendent in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify the personnel office 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, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact the Deputy Superintendent if you have any questions regarding certification or licensure requirements.

Searches and Alcohol and Drug Testing

Policy DHE

Non-investigatory searches in the workplace, including accessing an employee's desk, file cabinets, or work area 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. The District also reserves the right to use unannounced canine searches. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, work areas, including district-owned computers, lockers, and private vehicles parked on district premises or work sites or used in district business.

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

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

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs. Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Kyle Segura, Transportation Coordinator.

Health Safety Training

Policies DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification in first aid, cardiopulmonary resuscitation (CPR), use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to the Personnel Office by September 1 of each 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 principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed as outlined in Procedures for Requesting a Transfer below. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Personnel Office and must be approved by the receiving supervisor.

A request for transfer does not guarantee that such a transfer will be made, because each request must be considered in terms of the factors such as:

1. Qualification of the applicant;
2. Available vacancies;
3. Number of requests for transfer;
4. Number of transfers which have to be effected for administrative reasons;
5. School organizational needs (principal's judgment).
6. Principals must approve all teacher-initiated requests to their schools.

Procedures for Requesting a Transfer

1. Complete and send your request to the Personnel Office. Transfer requests will be considered only when filed with the Personnel Office.
2. A request for transfer must be renewed each year.
3. All transfer requests must be received no later than date determined by personnel office. After this date then the employee will need to 'APPLY' for any and all job postings listed on the PNGISD district website under Employment then Job Openings. As a current employee, you may apply as an Internal Applicant, attach a resume' and/or letter of interest. All applications must be completed on-line through this method. Once a position is posted, you may contact the building principal directly to express your interest in the position.
4. Principals have the discretion and may choose to interview for any vacant position.
5. A teacher that has been placed on a professional growth plan is not eligible for a teacher-initiated transfer.
6. Administrator type positions (counselor, assistant principal, etc.) do not qualify with a transfer request.

Workload and Work Schedules

Policies DEA, DEAB, DK, DL

Professional employees. Professional employees and administrators are exempt from overtime pay and are employed on a 10-, 11-, or 12-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including required days of service 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 45 minutes within each two-week period in blocks not less than 45 minutes within the instructional day. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The district may require teachers to supervise students during lunch one day a week when no other personnel are available.

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

Months Employed

The following guidelines are used to determine the number of months an employee is employed per year:

187 days to 206 days.....10 months
207 days to 226 days.....11 months
227 days to 260 days..... 12 months

Daily Schedule

School personnel should arrive at their respective buildings by the start time as indicated for the campus and assume their assigned responsibilities.

Pre-K – 3	7:30 a.m. – 3:30 p.m.
4 th - 5 th	7:45 a.m. – 3:45 p.m.
6 th – 8 th	7:45 a.m. – 3:45 p.m.
9 th – 12 th	7:30 a.m. – 3:30 p.m.

If a teacher has no specific responsibilities between the reporting time and the beginning of classes, he/she shall accept his/her share of general supervision of the campus and building.

Generally, teachers and staff shall be free to leave the building after they have completed their assigned work, which includes the following:

- Regular classroom work
- Conference periods
- Extracurricular activities
- Faculty meetings
- Special days set-aside for workshops
- Parent conferences
- Bus supervision
- Other duties that may arise or be assigned by the principal

Teachers and staff members having to leave campus during the day should check out through the office.

Notification to Parents Regarding Qualifications

Policies DK, DBA

In schools receiving Title I funds, the district is required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child’s teacher. NCLB also requires that parents be notified if their child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. This notice is not required if parental notification under NCLB is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be

made available to the public upon request.

Employees who have questions about their certification status can call the Personnel Office 722-4244 ext. 1725.

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. This includes any private tutoring of District students for pay. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest.

Performance Evaluation

Policies DN, DNA, DNB

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. 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, have a performance conference with their supervisor, and get the opportunity to respond to the evaluation.

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 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.

House Bill 1440, enacted by the 78th Texas Legislature, amended Section 21.352 (c) of the Texas Education Code to read as follows:

- (c) Appraisal must be done at least once during each school year, except that a teacher may be appraised less frequently if the teacher agrees in writing and the teacher's most recent evaluation was satisfactory and did not identify any area of deficiency.

Port Neches-Groves ISD policy adopted on November 11, 2003, states that all teachers must be appraised at least once every three years. Approximately 33% of the school faculty will be appraised each year. Teachers will be scheduled for evaluation based on meeting all of the following criteria:

1. An educator term contract;
2. SBEC certified;
3. Rated proficient (acceptable) on the most recent appraisal;
4. Not new to the campus;
5. Not new to the District; and

6. Not identified as having an area of deficiency.

The district's policy concerning the evaluation of teachers can be found at:

[DNA](#)

Employee Involvement

Policies BQA, BQB

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

Staff Development

Policy DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for non-instructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development. Suggestions for staff development should be made to your principal/supervisor, the campus improvement team, and/or Brenda Duhon, Assistant Superintendent of Curriculum and Instruction /Technology.

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

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or non-exempt according to federal law. Professional employees and 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 overtime hour worked beyond 40 in a workweek. (See *Overtime Compensation pg. 18*)

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

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

Paychecks

All professional, salaried and hourly employees are paid monthly. The schedule of pay dates for the school year is the 25th of each month, unless otherwise noted. The schedule of pay dates for the 2021-22 school year is posted on the District's website.

Employees will have their paychecks electronically deposited into a designated account. With automatic deposit, an employee's pay is immediately available on the pay date. Contact the payroll office for more information about the automatic payroll deposit service.

Payroll Deductions

Policy CFEA

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

- Teacher Retirement System of Texas (TRS)

- Federal income tax

- Medicare tax (applicable only to employees hired in this district after March 31, 1986)

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, vision, cancer, and identify theft insurance; annuities; and savings deposits to any bank or credit union. Employees also may request payroll deduction for payment of membership dues to professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

Overtime Compensation

Policy DEAB

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

Overtime is legally defined as all hours worked in excess of 40 hours in a work week and is not measured by the day or by the employee's regular work schedule. Nonexempt

employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a work week begins at 12:01 a.m. Sunday and ends at midnight Saturday.

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

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

Travel Expense Reimbursement

Policy DEE

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

PNGISD will allow the following travel related expenses, which are approved by the campus/department supervisor:

Travel Guidelines

1. Mileage @ standard mileage rate as set forth by Internal Revenue Service for use of personal vehicle if approved by principal/supervisor prior to trip.
2. Per Diem on meals.

Breakfast	\$12 (leaving before 7:00 a.m)
Lunch	\$14 (workshop must end after 12 noon for lunch reimbursement)
Dinner	\$20 (returning after 7:00 p.m.)

Employee Trips without Students: Meal reimbursements for day trips (in or outside Reg. 5) without students will not be allowed. Trips outside Reg. 5 requiring overnight stay are eligible for meal per diem.

Employee Trips with Students: Reimbursement for meals with students groups are approved in or out of the Reg. 5 area with receipts.
3. Telephone calls documented for business only.
4. Hotel charges for employee only. (Should a spouse/family accompany a district employee, the district will pay only the single rate.) Check with your principal to determine maximum lodging amount, anything over the allowed amount must be reported to IRS.

5. Travel arrangements for more than one employee attending the same conference should be coordinated prior to the trip (could include sharing hotel rooms).

Original receipts must be attached for the following:

- Hotel
- Registration
- Other transportation (i.e., airfare, bus, etc.)

The travel report must:

1. be typed or completed in ink;
2. be signed by employee and supervisor;
3. have correct registration/expense account number;
4. Include the name and number of persons attending (per advance).

In order to receive reimbursement, this report must be submitted WITHIN 2 weeks after completion of trip. If an advance has been drawn and expense sheet is not filed within 2 weeks, total amount will be DEDUCTED FROM NEXT PAYCHECK.

Travel Arrangements for Workshops Requiring Overnight Stay

Travel arrangements will be made according to the dates of the workshop attended. However, if an employee indicates in writing a desire to extend his/her stay and submits in writing with the Travel Request form, every effort will be made to make such arrangements. In the event an employee wishes to alter arrangements previously made by the District, he/she will be responsible for making such changes and will be responsible for any expenses incurred.

Use of Private Vehicles

District employees are not authorized to use private vehicles to transport students under any circumstances.

Health, Dental, and Life Insurance

Policy CRD

A benefits eligible employee is any employee eligible for benefits with the Port Neches-Groves ISD. Any employee working 3.5 hours or more per day is considered a benefits eligible employee.

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

- Employees who are active, contributing TRS members
- Employees must work 3.5 hours per day to be eligible for district contribution towards health insurance.
- Employees who are not contributing TRS members but who are employed for 10 or more regularly scheduled hours per week.

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

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees annually. Employees should contact the Employee Benefits Specialist for more information.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental insurance programs for supplemental life, cancer, disability, vision, dependent dental and identify theft. Premiums for these programs can be paid by payroll deduction. Employees should contact Employee Benefits for more information.

Cafeteria Plan Benefits (Section 125)

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

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

Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from The Littleton Group, effective September 1, 2003. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the employee's supervisor or building principal who in turn will contact Employee Benefits. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, for information on use of paid leave for such absences.

Employees who have had a job related injury and have missed work must have a doctor's release before returning to work. The employee must be able to resume their regular, full time duties when returning to work.

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 the Personnel Office.

Teacher Retirement

Policy DEG

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

Employees who plan to retire under TRS should notify the Personnel Office as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.state.tx.us). See page 10 for information on restrictions of employment of retirees in Texas public schools.

Other Benefit Programs

- **FREE PASSES** - District employees shall be admitted free to school-sponsored events with their district ID badge.
- Tuition-Free attendance for children of nonresident employees.

Leaves and Absences

Policy DEC, DECA, DECB

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

Leave is available for the employee's use at the beginning of the work year. However, state personal and local sick leave is earned on a number of days-worked basis. If an employee leaves the district before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck.

Leave must be used in half day increments. However, if an employee is taking family and medical leave, the employee may take intermittent or reduced leave schedule in accordance with Board Policies DEC (Local) and DECA (Legal). Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Local Leave
- State Sick Leave accumulated before the 1995-96 school year.
- State Personal Leave

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification. Any employee who is absent more than five (5) days because of a personal or family illness must submit a medical certification from a qualified health care provider 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. Any unapproved absences or absences beyond accumulated or available paid leave shall result in deduction from the employee’s pay.

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. The definition of these are found in Policy DECA (LEGAL).

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

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

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

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the

district after six months of unpaid leave other than FMLA. If an employee's unpaid leave extends for more than six months, the district will notify TRS-Active Care and they will provide the employee with notice of COBRA rights.

Personal Leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is earned at a rate of one-half day of leave for each 18 workdays. A day of earned personal leave is equivalent to an assigned workday. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. There are two types of personal leave: nondiscretionary and discretionary.

Nondiscretionary. Leave that is 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 allows very little, if any, advance planning. Nondiscretionary leave will be granted to employees in the same manner as state sick leave.

Discretionary. Leave that is taken at an employee's discretion and that can be scheduled in advance is considered discretionary leave. **An employee wishing to take discretionary personal leave must submit a notice of the request 5 days in advance of the anticipated absence to his or her principal or supervisor.** Discretionary personal leave will be granted on a first-come, first-served basis and will be subject to the following limitations:

- A maximum of 2 campus employees in each job category will be permitted to take discretionary personal leave at the same time.
- **Discretionary leave may not last more than 3 consecutive workdays. (The district may grant up to 5 days; but, any days after 5 will be docked.)**
- Discretionary leave may not be taken on the following key days:
 - the day before a school holiday,
 - the day after a school holiday,
 - the first or last day of a semester grading period,
 - any days scheduled for end-of-semester or end-of-year exams,
 - days scheduled for state mandated assessments, or
 - professional or staff development days.

A Discretionary Leave Form must be completed for 3 or more days. Principal must sign the form and send to the personnel office for the Deputy Superintendent's signature. The personnel office will return the approved form to the campus and send a copy to the payroll department.

Same Day Principal Approved Release Time. Principal may grant an employee permission to attend a brief off-campus appointment. All duties must be covered and must not affect student instruction. It is the employee's responsibility to make the arrangements to cover duties.

Exceptions to DEC (Local) Administrative Regulation

When an appeal is made for an exception to DEC (Local), (i.e. more than three days consecutive, day that is included in schedule of limitations, etc.) the following questions shall be used to develop criteria upon which to base the decision to grant or deny the appeal:

1. Does the employee have no more than 10 days total absence in the current year (for teachers, this will refer to 10 days absent from their assignment with students)?
2. Does the employee have days available for use as discretionary leave?
3. How will the employee's absence impact the campus or department and will it interfere with scheduled calendar events at the campus or district level?
4. Was the appeal for an exception submitted in writing?
5. Was the appeal for an exception submitted in a timely fashion?
6. If warranted by extenuating circumstances, i.e., unavailability of substitute, a supervisor may deny discretionary leave requests.

The answers to these questions will guide the deputy superintendent or superintendent in determining whether or not to approve an appeal for an exception to the stipulations of DEC (LOCAL)

Local Leave

All full-time employees shall earn local sick leave per school year as follows:

1. Employees in positions normally requiring ten months of service shall receive **six** equivalent workdays of local sick leave.
2. Employees in positions normally requiring 200 or more workdays of service shall receive **seven** equivalent workdays of local sick leave.

Local sick leave shall accumulate to a maximum of 170 equivalent workdays. Any unused balance of local sick leave shall be reduced to zero upon continuous absence from employment in the District for a period of three consecutive years.

Local leave shall be used according to the terms and conditions of state sick leave accumulated before the 1995-96 school year [see DEC(LEGAL)] except that an employee may contribute local leave to a sick leave bank.

Effective with the 2011-2012 school year, all full time employees with ten or more years of service with the Port Neches-Groves ISD who retire from the Port Neches-Groves ISD and from service in public schools in the state, shall receive payment for one hundred percent (100%) of the unused portion of the accumulated local sick leave at the rate of \$50.00 per day.

Sick Leave

Previously accumulated state sick leave is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in one-half-day increments except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits. Auxiliary employees (maintenance, custodial and food service) are paid for the actual number of hours worked.

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

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

Temporary Disability

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

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days. If disability leave is not approved, the employee must return to work or be subject to termination procedures.

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

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

Family and Medical Leave (FMLA)—General Provisions

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

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

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster

- care;
- To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job.

Military Family Leave Entitlements. An eligible employee whose spouse, son, daughter or parent 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, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition.”**

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

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

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

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

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

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

of continuing treatment.

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

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

Employee Responsibilities: Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

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

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

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

Unlawful Acts by Employers: 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.

Enforcement: 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.

FMLA section 109 (29 U.S.C. § 2619) required FMLA covered employers to post the text of this notice.

Regulations 29 C.F.R. § 825.300 (a) may require additional disclosures.

For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
www.wagehour.dol.gov

Local FMLA provisions

For purposes of an employee's entitlement to FMLA leave, the 12 month period shall be measured backward from the date an employee uses FMLA leave.

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

Combined leave for spouses: Spouses who are employed by the district are limited to a combined total of 12 weeks of FMLA leave 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, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

District contact: Employees that require FMLA leave or have questions should contact Employee Benefits for details on eligibility, requirements, and limitations.

Workers' Compensation Benefits

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

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

Assault Leave

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

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries 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.

Family Illness in Employee's Immediate Family

DEC Local

Once an employee has used any combination of days (local and state) totaling 11 days during the current school year, they are eligible to apply for use of family illness in the employee's immediate family. Maximum days allowed will be five (5). These days are not cumulative and will be granted only through written request to the Superintendent or designee. For the purposes of family illness leave, the term "immediate family" shall include:

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

Bereavement Leave - Death in Employee's Immediate Family

In addition to other state and local leave days, each employee shall be allowed three equivalent workdays for each death in the immediate family. These days shall not be cumulative. These days shall be granted through written request to the Superintendent or his designee.

The term "**immediate family**" shall include:

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

Doctor's Certification

An employee who is absent for personal illness for more than five (5) consecutive workdays shall submit a doctor's certification of illness and of the employee's fitness to return to work.

Certification of illness shall be by a doctor who is duly registered and licensed under the Medical Practice Act of Texas, a licensed doctor of dentistry, a licensed chiropractor, or a licensed podiatrist. Members of the Christian Science church may have their illness attested to by a Christian Science practitioner. This documentation shall be submitted to the employee's principal or immediate supervisor upon return to work.

Neutral Absence Control

Non-Injury Related Absence

In the event an at-will employee is unable to resume the full scope of his or her usual and customary job duties after the exhaustion of all paid leave benefits, the employee shall be placed on extended leave without pay for a period of 90 calendar days. An employee shall have the option to take any accrued, unused vacation time before extended leave without pay begins.

If, at the end of the 90 calendar-day period the employee remains unable to fully resume his or her usual and customary job duties, the employee shall be automatically terminated effective on the 91st calendar day.

Any temporary return to work for less than a period of ten consecutive workdays within the 90-calendar-day period shall not be considered as an interruption of the 90-calendar-day period.

An employee automatically terminated under this provision and rehired by the District within a three-year consecutive absence shall have his or her years of service earned at the time of termination restored that shall be used in determining the employee's salary upon rehire.

[For contract employees, the nonrenewal process described in policy DFBB shall be followed.]

Job-Related Injury Absence

If an at-will employee remains unable to fully resume his or her usual job duties after exhaustion of all available leave, the employee shall be granted injury leave without pay for a period of up to 180 calendar days from the date that all paid leave was exhausted. An employee shall have the option to take any accrued, unused vacation time before extended leave without pay begins.

At the end of the 180-day period, the employee shall provide the District with a medical narrative from his or her physician detailing the condition and prognosis of the employee and indicating whether the employee is, at that time, capable of being released to fully assume his or her usual job duties, or advising as to whether or when the physician anticipates the employee may be fully capable of returning to work.

In the event the employee's physician expresses the opinion that the employee will be able to fully perform his or her usual job duties within a 90-calendar-day period from the end of the 180-calendar-day period of extended leave, the employee shall be given extended leave without pay not to exceed the additional 90-calendar-day period.

If, at the end of the 180-calendar-day period, the physician finds the employee is unable to fully resume the performance of his or her job at that time and will not be able to fully perform the usual job within the next 90 calendar days, with or without accommodation, the employee shall be terminated effective on the first day after the 180-calendar-day period of extended leave.

Any temporary return to work for less than a period of ten consecutive workdays within the extended leave period shall not be considered as an interruption of the leave period.

An employee automatically terminated under this provision and rehired by the District within a three-year consecutive absence shall have his or her years of service earned at the time of termination restored that shall be used in determining the employee's salary upon rehire.

These provisions shall in no way impede or diminish any rights or benefits to which the employee may be entitled as a result of dismemberment or disability as may be determined by the legal representatives of the District and the employee, and the Texas Workers' of Insurance, Division of Workers' Compensation.

[For contract employees, the nonrenewal process described in policy DFBB shall be followed.]

Jury Duty

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

Other Court Appearances

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Employees may be required to submit documentation of their need for leave for court appearances.

Truancy Court Appearances

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

Absence from Work Procedure

A teacher who is unable to report for work should notify the principal at the earliest possible moment so that a suitable substitute may be secured before work time. It is always the responsibility of the principal or the principal's designee to engage a substitute. All other employees of the district will notify their supervisor following a procedure developed at the building level.

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 orders by proper authority. An additional seven days of leave per fiscal year are available if called to state active duty in response to a disaster. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Reemployment after military leave: Employees who leave the district to enter into the United States uniformed services or who are ordered to active state military duty (Texas

National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment to the Superintendent. In most cases, the length of federal military service cannot exceed five years.

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

Friends Helping Friends (Replaced Catastrophic Sick Leave)

The purpose of Friends Helping Friends is to provide additional local/state personal sick days to PNGISD full-time employees in the event of an extended illness of the employee or of the employee's immediate family. (Immediate family as defined by PNGISD policy DEC (Local)). Full-time status requires that a person work a minimum of 35 hours per week. It is understood that Friends Helping Friends is a donor program based on good will and not mandatory for any employee to contribute.

Campus Principals, Maintenance Director, Transportation Coordinator or their appointed designee will be the campus representative for Friends Helping Friends. A campus group will be ALL employees working on a campus. Other individual campus groups will be: Maintenance, Transportation, Administration Building and West Groves Education Center.

Acquiring days:

- A district employee must submit their Employee Request Form to the campus principal or campus designee. (Both the Employee Request Form and Employee Donor Form can be found on the district's website under the tab Faculty and Staff then Employee Forms.) The completed form will then be sent to the Personnel Office.

Employee requesting sick days:

1. An employee must be employed a minimum of one (1) year before requesting any local sick days. The requesting employee must have exhausted all available paid leave, including vacation days, and be docked two (2) days after submitting their request before qualifying for the program. The requesting employee cannot be receiving Workers' Compensation payments and request Friends Helping Friends days from other employees. A recipient is not allowed to receive a daily rate which exceeds his/her current daily salary from PNGISD.
2. It is the responsibility of the requesting employee to submit a request to the campus principal or designee. The employee's name and reason for the request must be stated on the form. The requested days must be made prior to the time the employee will be off work. Employee's cannot request days to replace days prior to the initial request. Should the recipient be incapacitated to the extent that he/she cannot personally apply, the request may be submitted on his/her behalf by a family member, authorized agent, or the principal.
3. The maximum number of days requested by an employee may not exceed 180 days within a five (5) year period. (The year being defined as July 1 – June 30 the following

year.) Days requested may range from 1 – 15 day increments. A maximum of 15 can be requested per application. A person in need of more days must submit an application requesting additional days.

4. The recipient will be informed by the personnel office whether or not their request for donations was partially or fully met.

Employees donating sick days:

1. An employee must be employed a minimum of one (1) year before donating any local sick days. An employee may donate up to 15 sick days to an employee per request in a school year (unless the request is an immediate family member as defined by PNGISD policy DEC (local). It is understood that all local sick days will be exhausted before state personal days are donated.
2. An employee donating sick days must maintain a balance of 30 combined (state and local) leave days in their bank at all times. The personnel office will be responsible for verifying the 30 day combined limit.
3. Donor forms may be obtained from the district web page and shall be submitted to the personnel office after a formal request for days has been received. The confidentiality of the donor shall be protected by staff members involved in processing the forms.
4. Donated days submitted and not used will be used for the same recipient if another request is needed for additional days. A copy of the donor form will be emailed to the donor upon use of their donated days. If an excess of donated days results, unused forms will be returned to the donor(s). All information relating to donations shall be kept confidential.

DISCLAIMER: By participating in this program I understand that these are the terms set forth by the district’s Friends Helping Friends steering committee and are subject to be adjusted accordingly after the piloting period of January 1, 2017 through June 30, 2017. The district committee is made up of the 2015-16 elected Catastrophic Leave Committee members who will serve as long as they remain an employee of PNGISD as the Friends Helping Friends steering committee for the first two years of the programs implementation.

Vacations, Holidays and Off Duty Days

Policy DED (Local)

All persons employed in positions normally requiring 12 months of service shall observe holiday and vacation schedules as follows:

Vacation

Personnel employed in positions normally requiring 240 workdays per year shall be entitled to vacation as per schedule below.

Length of service in district	Vacation Days
1 - 9 years	10
10 - 19 years	15
20 + years	20

Additionally, Custodial and Maintenance personnel employed in positions normally requiring 260 workdays per year shall observe 14 paid holidays in addition to the vacation

schedule above.

Vacation Guidelines

- Vacation time for the above employees shall be granted after completion of the year(s) of service in the District and shall be awarded on July 1 of each year.
- Any full-time employee starting to work before July 1 shall be entitled to two weeks of vacation during the following contract year. One week may be granted after employment of six months and the other week after 12 months.
- Any full-time employee starting to work after July 1 and before June 30 shall be entitled to one week vacation during the current year after an employment period of six months.
- All vacation days are not cumulative and must be used within an 18-month period of the date awarded. Vacations shall be scheduled with the approval of the immediate supervisor. Employees working less than 50 percent of full-time are not eligible for vacation leave.
- The employee's hire date must be on or before July 1 for creditable service for vacations 10, 15 and 20 years.

Holidays

Each year a Board-approved calendar is issued indicating school days, staff development and **workdays**, payday, grade reporting dates and approved holidays. Employee input will be solicited in developing the calendar.

Off-Duty Days

Employees who work more than 220 days per year will also have off-duty days. Off-duty days are based on the number of days over their respective work year. Example: 230 day work year but calendar reflects 235 possible work days, the five (5) days over 230 are called off-duty days. All off-duty days are not cumulative and must be used within an 18-month period of the date awarded.

Definition of Work Day

A full-time contract employee, clerical employee or aide, will be counted present for one-half day of work when the employee works from the reporting time until 11:30 a. m. **ONLY** a full-time contract employee will be counted present for a full day of work when the employee works from reporting time until 2:00 p. m. All other employees **MUST** work their respective daily scheduled hours; or, use one-half day of available leave. Example: local sick leave, state personal leave, vacation, off-duty day, etc. All charges for leave and dock-days of salary will be handled on this basis.

Auxiliary employees (maintenance, custodial and food service) are paid for the actual number of hours worked.

Employee Relations and Communications 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. Suggestions for persons to

be recognized should be made through the Superintendent's office.

District Communications

All PNG employees are given a district PNG email address. Upon employment the personnel office will assist new hires in setting up their PNG email address. It is mandatory that employees use and access their PNG email address since this is the most common communication used by the District.

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

Complaints and Grievances

Policy DGBA

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

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. The district's policy concerning the process of bringing concerns and complaints can be found at: [DGBA](#)

Employee Conduct and Welfare

Standards of Conduct

Policy DH

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

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

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

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

Texas Educators' Code of Ethics

Statement of Purpose

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character.

The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. (19 TAC 247.1(b))

Enforceable Standards

1. Professional Ethical Conduct, Practices, and Performance

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

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

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

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

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

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

so.

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

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

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

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

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

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

Standard 1.13 The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

2. Ethical Conduct toward Professional Colleagues

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

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

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

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

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

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

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

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

3. Ethical Conduct toward Students

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

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

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

Standard 3.4 The educator shall not exclude a student from participation in a

program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

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

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

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

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

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

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

Dress and Grooming

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

- Tattoos must be covered at all times
- No unusual piercings

Violations of Standards of Conduct

Policies DCD and DF

Employees 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 their status as District employees. Violation of any policies, regulations, and guidelines may result in disciplinary action, including termination of employment.

Discrimination, Harassment, and Retaliation

Policies DH, DIA

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

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

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 that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation can be found at:

[DIA](#)

Harassment of Students

Policies DF, DH, 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. See *Reporting suspected child abuse*, pages 42-44 for additional information.

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 suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students can be found at:

Alcohol- and Drug-Abuse Prevention

Policies DH, DI

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

[DH DI DI\(Exhibit\)](#)

Reporting Suspected Child Abuse

Policies DG, FFG, GRA

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, are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §261.001, to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. 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.

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

Reports to Child Protective Services can be made to The Port Neches Police Department at 409-722-1424 or The Groves Police Department, at 409-962-0244 or The child Protective Services (CPS) division of the Texas Department of Family and Protective Services (1-800-252-5400) or on the Web at www.txabusehotline.org. State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious

intent. In addition, the district is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

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

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

Sexual Abuse and Maltreatment of Children

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

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

Information for Review

The Department of Protective and Regulatory Services, Local Law Enforcement Agencies, and Independent School Districts have certain obligations pursuant to the Texas Family Code, and the Texas Code of Criminal Procedures regarding reporting, investigation and protection of abused and neglected children in the State of Texas.

In accordance with Chapter 261.101 and 261.103 of the Texas Family Code: A person having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by this sub chapter a report shall be made to: (1) any local or state law enforcement agency; (2) the department (TDPRS) if the alleged or suspected abuse involves a person responsible for the care, custody or welfare of the child.

To insure compliance with the laws of Texas and the maximum protection of children involved with the Port Neches-Groves Independent School District and the Department of

Protective and Regulatory Services (Child Protective Services Division) the following procedures are proposed:

It shall be the duty of all school personnel (teachers, principals, etc.) to report child abuse or neglect to the TDPRS or local law enforcement agencies. A report made to the Texas Education Agency will not satisfy the statutory reporting requirements.

The legal duty to report lies with each person who has cause to believe that abuse or neglect has occurred. It is the responsibility of the individual, not the school district, to make the report. A person who has cause to make a report, but knowingly fails to do so commits a criminal offense (Texas Family Code, Section 261.109).

**A SECURE website has been established for School Professionals: <https://reportabuse.ws>

**The State Wide Intake number is 1-800-252-5400

Reports may include, but are not limited to, any of the following:

- A. Death of a child.
- B. Physical injury of a child.
- C. Parent is threatening injury or death to a child or child is threatening suicide because of abuse or neglect.
- D. Failure to thrive syndrome or a severely malnourished child.
- E. Sexual abuse of a child by a relative or household member.
- F. Child is left alone, deserted, lost, abandoned, or totally without parental supervision or other caretaker supervision.
- G. Child appears to be lacking basic physical necessities, is starving or freezing.
- H. Child, due to lack of medical attention, is in danger of death or serious physical harm.
- I. Caretaker is behaving in a bizarre, psychotic, extremely intoxicated or drugged manner, or is threatening imminent suicide in a child's presence.
- J. Severely exploited child.
- K. Alleged abuse of a child by a school district employee

All reports are confidential and can only be shared with Law Enforcement and the family "for purposes consistent with the purposes of the Texas Family Code under regulations adopted by DPRS". However, written notification of findings will be sent to the complainant. In addition, case information necessary to meet the needs of the child in the school setting will be shared with school personnel.

Upon arrival at the school, the caseworker will make his/her presence known to the appropriate school personnel.

The investigating caseworker must present his/her official Texas Department of Protective and Regulatory Services identification upon the request of the school personnel.

The school will provide a place for the investigating caseworker to interview the child that assures the privacy, comfort, and confidentiality of the interview.

To assure confidentiality of the interview, only the investigation caseworker (s) and child will be present during an interview conducted as part of an investigation. The caseworker will be responsible for contacting the parent/caregiver regarding CPS's interview with the child.

The following provisions will govern investigations or reports of abuse/neglect of children when the alleged perpetrator is an employee of the school district or a volunteer in the school; and the alleged abuse/neglect is to have taken place at school.

- A. Any suspected abuse/neglect must be reported to Law Enforcement or TDPRS immediately.
- B. Upon receipt of such a report of abuse/neglect, TDPRS will orally report the complaint to the principal of the school (or his/her designee), who will advise the district chain of command of the complaint and request that the school district cooperate with CPS by participating in the investigation of the complaint.

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.

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 includes 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 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
- Nonschool 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.

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.

Safety

Policy CK

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

- Observe all safety rules.
- Keep work areas clean and orderly at all times.
- Immediately report all accidents to their supervisor.
- Operate only equipment or machines for which they have training and authorization.
- Prohibition on use of cell phones or electronic devices while driving.

Employees with questions or concerns relating to safety programs and issues can contact Julie Gauthier, Deputy Superintendent.

Tobacco Products and E-Cigarette Use

Policies DH, GKA, FNCD

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

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.

Electronic mail transmissions and other use of the technology resources are not confidential and can be monitored at any time to ensure appropriate use. District email accounts will not be set up until the Computer Use Form is complete. Annually all employees must complete the online safety and security training and pass the safety and security training test. Email accounts and

network connections will be disabled if failure to comply.

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. Employees with questions about computer use and data management can contact Crystal Werkheiser, Director of Technology.

Personal Use of Electronic Communications

Policy DH

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, "wikis", Instagram, etc.).

Electronic communication also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

As role models for the district's students, employees will be held to the same professional standards in his or her public use of electronic media as for any other public conduct. If an employee's use of electronic media violates state or federal law or district policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for Web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
 - Confidentiality of student records. [See Policy FL]

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

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 communicate through electronic media with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the district through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. 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. This paragraph provides an exception for employees who have a social or family relationship with a student. 7/10/2015 Employee Conduct and Welfare 55. 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 communication with students:

- *Electronic communication* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, "wikis", Instagram). *Electronic media* also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*: however, the employee may be subject to district regulations on personal electronic communications. See *Personal*

Use of Electronic Media, above. Unsolicited contact from a student through electronic means is not a *communication*.

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

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

- The employee may use any form of electronic communication **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
 - The employee shall include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
 - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
 - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s district e-mail address.
- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of 10:00 p.m. and 7:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics including:
 - 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 [Policy EFE]
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DF]

- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently- enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

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

Public Information on Private Devices

Policy DH

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, any offense involving moral turpitude, and any of the other offenses listed below:

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

Moral turpitude includes the following:

- Dishonesty

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

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

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. 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 supervisors or call the Superintendent 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.

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. Duplications are to be used in the classroom for educational purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

Computer Use and Data Management

Policy CQ

The district's electronic communications systems, including its network access to the Internet, is primarily for administrative and instructional purposes. Limited personal use of the system

is permitted if the use:

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

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

Employees who are authorized to use the systems are required to abide by the provisions of the district's communications systems policy and administrative procedures. Failure to do so can result in suspension or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact Brenda Duhon at the West Groves Education Center.

Asbestos Management Plan

Policy CKA

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

Pest Control Treatment

Policy DI, CLB

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 on bulletin boards in the teachers' lounge and in the front office. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice may be notified by telephone, written or electric means. Pest control information sheets are available from campus principals or facility managers upon request.

General Procedures

Emergency School Closing

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

Radio Stations

Television Stations

KAYD 97 FM
KLVI 56 AM
KYKR 95.1 FM
KKMY 104.5 FM

KBMT Channel 12
KFDM Channel 6
KBTX Fox 4

In the case of extended mandated closure, teachers will be expected to provide students with appropriate distance or virtual instruction in the academic subject area assigned to help students fulfill their potential for intellectual, emotional, physical, and social growth.

Responsibilities and Duties:

Instructional Strategies

1. Develop and implement lesson plans and activities through distance or virtual learning to fulfill the requirements of district's curriculum program and show written evidence of preparation, as required. Prepare lessons in instructional formats that accommodate differences in individual student needs.
2. Plan and use appropriate instructional strategies, activities, and resources for distance or virtual learning that reflect understanding of the learning styles and needs of assigned students according to guidelines established by Texas Education Agency, board policies, and administrative regulations.

Communication

3. Be available by phone, email, or video conferencing during campus instructional hours to confer with district personnel, students, and/or parents. The rest of the workday is committed to planning, preparing, implementing, and evaluating lessons and activities.

Student Growth and Development

4. Provide ongoing feedback of student achievement through formal and informal methods.
5. Be a positive role model for students and support the goals of the campus and school district.

Classroom Management and Organization

6. Create a virtual classroom environment conducive to learning and appropriate for the physical, social, and emotional development of students.

Other employees should be available to perform work duties virtually when needed.

Emergencies

Policies CKC, CKD

All employees should be familiar with the safety procedures for responding to a medical emergency and the evacuation diagrams posted in their work areas. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator (AED).

Fire extinguishers are located throughout all district buildings. Employees should know the location of these devices and procedures for their use.

Early Dismissal Time

(when adopted and on the school calendar)

Unless otherwise announced, early dismissal dates will be two hours earlier than the normal

dismissal time for that campus.

Purchasing Procedures

Policy CH

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

Contact Sheri Drawhorn, Business Manager for additional information on purchasing procedures.

Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the Personnel Office if there are any changes or corrections to their name, home address, home telephone number, marital status, emergency contact, or beneficiary. Forms to process a change in personal information can be obtained from the Personnel Office and on the district website. Name changes will not be made without a copy of an updated drivers license and social security card. The name must match on both documents.

Personnel Records

Policy GBA

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

- Address
- Phone number, including personal cell phone number
- Social Security number
- Emergency Contact Information
- Information that reveals whether they have family members
- Personal e-mail address

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

Facility Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. Campus principals are responsible for scheduling the use of facilities after school hours. Contact the campus principal to request to use school facilities and to obtain information on the fees charged.

Termination of Employment Resignations

Policy DFE, DHB

Contract Employees

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

The superintendent will notify SBEC when an employee resigns and there is evidence to indicate that the employee has engaged in such misconduct.

Noncontract Employees

Noncontract employees may resign their positions at any time. A written notice of resignation should be submitted to the deputy superintendent 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 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.

Sanctions

On written complaint of the District, the State Board for Educator Certification (SBEC) may impose sanctions against an employee who is employed under a contract for the following school year and resigns, fails without good cause to comply with the resignation deadlines, and fails without good cause to perform the contract. Education Code 21.105, 21.160, 21.210

Dismissal or Nonrenewal of Contract Employees

Policies DFAA, DFAB, DFBA, DFBB, DFCA, DFD, DFF, DFFA, DFFB, DFFC, DFFD

Employees on probationary, term, and continuing contracts can be dismissed during the school year or non-renewed at the end of the year according to the procedures 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 time lines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for misconduct. Information on the time lines and procedures can be found in the DF series policies that are provided to employees or in the policy manuals located on line or in the Personnel Office.

Dismissal of Noncontract Employees

Policy 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, religion, sex, national origin, disability, military status, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and grievances*, page 36.)

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 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 knew 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

Policy DC

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

Reports to Texas Education Agency

Policy DF, DHB, DHC

Certified Employees: The dismissal of a certified employee must be reported to the Division of Investigations at TEA whenever the termination is based on 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 conduct or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance. The illegal

- transfer, appropriation, or expenditure of 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 superintendent is also required to notify TEA when a certified employee resigns and there is evidence that the educator engaged in the conduct listed above.

The reporting requirements above are in addition to the superintendent's ongoing duty to notify TEA when a certified employee has a reported criminal history. "Reported criminal history" means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction.

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 to the court and the individual receiving the support (Texas Family Code §8.210, 158.211). Notice of the following must be sent to the court and support recipient:

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

Student Issues

Equal Educational Opportunities

Policies FB, FFH

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

Questions or concerns about discrimination of students on any of the bases listed above should be directed to either the Superintendent or Deputy Superintendent.

Student Records

Policy FL

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

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

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

Administering Medication to Students

Policy FFAC

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

Dietary Supplements

Policies DH, FFAC

District employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her school district duties. In addition,

employees may not knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

Psychotropic Drugs

Policy FFAC

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

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

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

Student Conduct and Discipline

Policies in the FN series and FO series

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

Student Attendance

Policy FEB

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

Bullying

Policy FFI

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

Student Welfare - Freedom from Bullying

Policy FFI (Local)

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

Bullying Prohibited	The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy.
Definition	<p>Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that:</p> <ol style="list-style-type: none"> 1. Has the effect or will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property; or 2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student. <p>This conduct is considered bullying if it:</p> <ol style="list-style-type: none"> 1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and 2. Interferes with a student’s education or substantially disrupts the operation of a school.
Examples	Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, 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 promptly report may impair the District's ability to investigate and address the prohibited conduct.
Reporting Procedures Student Report	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, counselor, principal, or other District employee.
Employee Report	Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.
Report Format	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
Prohibited Conduct	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
Investigation of Report	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
Concluding the Investigation	Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation. The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.
Notice to Parents	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

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

Hazing

Policy FNCC

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