



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC First Reading of LOCAL Polices in TASB Update 99

SUBMITTED BY: Gloria S. Rendon **OF:** Assistant Supt. for Administration

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: April 15, 2014

RECOMMENDATION:

It is recommended that the United ISD Board of Trustees approve First Reading of LOCAL Polices in TASB Update 99.

BDD(LOCAL): BOARD INTERNAL ORGANIZATION - ATTORNEY

BP(LOCAL): ADMINISTRATIVE REGULATIONS

CFEA(LOCAL): PAYROLL PROCEDURES – SALARY DEDUCTIONS AND REDUCTIONS

CFEA(EXHIBIT): PAYROLL PROCEDURES – SALARY DEDUCTIONS AND REDUCTIONS - DELETE

DFFA(LOCAL): REDUCTION IN FORCE - FINANCIAL EXIGENCY

DAC(LOCAL): EMPLOYMENT OBJECTIVES – OBJECTIVE CRITERIA FOR PERSONNEL DECISIONS - DELETE

DBE (LOCAL): EMPLOYMENT REQUIREMENTS AND RESTRICTIONS – NEPOTISM - DELETE

DK(LOCAL): ASSIGNMENT AND SCHEDULES

EHDC(LOCAL): ALTERNATIVE METHODS FOR LEARNING CREDIT – CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION

FFF(LOCAL): STUDENT WELFARE – STUDENT SAFETY - DELETE

FFH(LOCAL): STUDENT WELFARE – FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

RATIONALE:

BUDGETARY INFORMATION:

BOARD POLICY REFERENCE AND COMPLIANCE:

Explanatory Notes

TASB Localized Policy Manual Update 99

BDD (LOCAL) BOARD INTERNAL ORGANIZATION ATTORNEY

This local policy identifies who is authorized to submit inquiries to the district's legal counsel. To ensure the board has a point of contact with legal counsel even when the board has not named a specific board designee, we recommend adding the board president to the list of individuals who may seek advice or information from the district's legal counsel.

Other recommended changes are to conform to policy style.

BP (LOCAL) ADMINISTRATIVE REGULATIONS

Recommended revisions to this local policy regarding administrative regulations are to reflect common district practices. At DEVELOPMENT, the changes clarify that the superintendent or designee, who is responsible for developing and enforcing procedures, will also resolve any discrepancies among conflicting regulations. These provisions include the superintendent's authority to revise regulations when needed, making the existing text addressing revision unnecessary.

The provision requiring an official copy of the administrative regulations to be kept in the superintendent's office is recommended for deletion. Districts commonly keep official copies electronically and/or at individual campuses, so this statement no longer matches common practice.

Other recommended changes are to conform to policy style.

CFEA (LOCAL) PAYROLL PROCEDURES SALARY DEDUCTIONS AND REDUCTIONS

This local policy addressing salary deductions and reductions is recommended for deletion. Several of the items listed as optional deductions are now included as mandatory deductions in the legally referenced policy at this code and therefore are unnecessary to list in local policy. Other employee requests for deductions can be addressed in administrative regulations.

The provisions addressing deductions for unauthorized leave are included in DEC(LOCAL), the policy on leaves and absences.

CFEA (EXHIBIT) PAYROLL PROCEDURES SALARY DEDUCTIONS AND REDUCTIONS

Our records indicate that you have an exhibit at this code that you may need to review and revise in light of the changes in this update. Please advise us:

- If this exhibit is obsolete and should be deleted from Policy Service's records of your localized policy manual; or
- If you have revisions that you wish to submit to Policy Service for editorial and legal review and incorporation into Policy Service records.

CK (LOCAL) SAFETY PROGRAM/RISK MANAGEMENT

The recommended revisions to this local policy addressing safety are to reflect common district practice and to streamline the policy. Recognizing that it is impractical to include the details of the district's safety and risk management programs in board policy, the recommended policy text gives broad authority to the superintendent to develop, implement, and promote comprehensive safety programs to address the safety of all who interact with the district.

DAC (LOCAL) EMPLOYMENT OBJECTIVES
OBJECTIVE CRITERIA FOR PERSONNEL DECISIONS

This local policy addressing objective criteria for personnel decisions is recommended for deletion. The district's locally developed text in the first paragraph at EMPLOYMENT RESPONSIBILITIES OF SUPERINTENDENT is already addressed in policy BJA. The rest of the policy was originally required by Civil Order 5281, which is no longer applicable to your district.

DBE (LOCAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
NEPOTISM

The district's unique locally developed text on supervision of relatives has been lightly edited and moved to DK(LOCAL), which addresses assignments. As a result, DBE(LOCAL) is recommended for deletion.

DK (LOCAL) ASSIGNMENT AND SCHEDULES

The district's locally developed text addressing the prohibition on supervising relatives has been lightly edited and recoded from DBE(LOCAL) to this policy addressing assignments and schedules.

The rest of your locally developed policy has been retained, unchanged.

EHDC (LOCAL) ALTERNATIVE METHODS FOR EARNING CREDIT
CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION

HB 2694, SB 1365, and recent State Board rules prompted recommended changes to this policy regarding credit by examination without prior instruction. Because many of the issues previously recommended for inclusion in local policy are now addressed in the rules, we recommend deleting from this local policy provisions addressing selection of test dates, requests for alternate examinations or test dates, fees, and award of credit. The broad language in the first paragraph of the policy requires the district to provide opportunities for credit by examination in accordance with law and State Board rule using examinations that, as required by law, are approved by the school board.

Please note: We have retained the district's locally developed text providing for a student in grades 9–12 to decline earned credit by submitting a written request within 30 days of being notified of the credit by examination score. Please contact your policy consultant if this no longer reflects current practice. Additionally, we have retained the district's locally developed criteria for KINDERGARTEN ACCELERATION.

FFF (LOCAL) STUDENT WELFARE
STUDENT SAFETY

As mentioned above, the content of this local policy addressing student safety is covered under the broad provisions of CK(LOCAL). Therefore, this local policy is recommended for deletion.

FFH (LOCAL) STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND
RETALIATION

Based on recommendations by the U.S. Department of Education, Office for Civil Rights (OCR), we have amended the text of this policy to clarify that the TITLE IX COORDINATOR also handles reports of gender-based harassment and to require that the district give NOTIFICATION OF THE OUTCOME of an investigation to the relevant parties.

Recommended changes at INVESTIGATION OF THE REPORT explain how the district should proceed with its investigation when a criminal or regulatory investigation is occurring at the same time. The revisions provide that if a law enforcement or regulatory agency notifies the district of an investigation, the district will confer with the criminal or regulatory agency to determine if the district's investigation would impede the agency's investigation. During the agency investigation, the district will continue with its investigation only to the extent that it does not impede the agency investigation. Once the agency has finished gathering its evidence, however, the district is obligated to resume its investigation. Prior to completion of the district's investigation, and regardless of whether a criminal or regulatory investigation is pending, the district must take INTERIM ACTION if appropriate to address prohibited conduct or bullying.

At CONCLUDING THE INVESTIGATION, we have clarified that a pending agency investigation could constitute an extenuating circumstance that would prevent the district from completing its investigation within 10 business days.

A recommended change at CORRECTIVE ACTION replaces a reference to *harassment* with *prohibited conduct* for consistency with the terminology throughout the policy.

Language at APPEAL has been amended to clarify that either a student or *parent* may appeal the outcome of an investigation.

Please note: Board action may also be required for FB(LOCAL) and DIA(LOCAL). Carefully review the contact information for the district's TITLE IX COORDINATOR and ADA/SECTION 504 COORDINATOR in FFH(LOCAL). If the contact information has changed, you will need to update the information in this policy and in FB(LOCAL). If the same individuals serve as the coordinators for students and employees, you will also need to update DIA(LOCAL). Contact your policy consultant for drafts, since any policy revisions will need board action.

(LOCAL) Policy Comparison Packet

Each marked-up (LOCAL) policy in this collection reflects an automated comparison of the updated policy with its precursor, as found in the TASB Policy Service records.

The comparison is generated by an automated process that shows changes as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow.

For further assistance in understanding changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

United ISD
240903

BOARD INTERNAL ORGANIZATION
ATTORNEY

BDD
(LOCAL)

The Board shall retain an attorney or attorneys, as necessary, to serve as the District's legal counsel and representatives in matters requiring legal services. Services to be performed and reasonable compensation to be paid by the Board shall be set forth in a written contract between the Board and the attorney or attorneys.

In accordance with the written contract, individual **Board members**~~Trustees~~ shall channel legal inquiries through the Superintendent, **Board President**, or **Board's**~~Board~~ designee, as appropriate, when **seeking** advice or information from the District's legal counsel ~~is sought~~.

Staff **shall submit** requests for legal advice from the District's legal counsel ~~shall be submitted~~ through the Superintendent or designee.

Upon~~A report of legal advice received shall be presented to the Board when deemed appropriate by the administration or upon~~ request of the Board **or when deemed necessary by the Superintendent, the Superintendent shall report advice from legal counsel.**

DATE ISSUED: ~~3/13/2014~~**4/1/2005**
UPDATE ~~9975~~
BDD(LOCAL)-A

ADOPTED:

1 of 1

ADMINISTRATIVE REGULATIONS

BP
(LOCAL)

DEVELOPMENT	<p>The Superintendent and administrative staff shall be responsible for developing and enforcing procedures for the operation of the District. Procedures must be consistent with Board policy and law and shall be designed to promote the achievement of District goals and objectives.</p> <p>These procedures shall constitute the administrative regulations of the District and shall consist of guidelinesguides, handbooks, manuals, and forms, and anyas well as other documents defining standard operating procedures.procedure and designated "Regulations."</p> <p>The Superintendent or designee shall ensure thatAll administrative regulations are kept up to date and are consistentshall be under the direction of the Superintendent; variations from defined procedures shall be with Board policy. The Superintendent or designee shall resolve any discrepancies among conflicting administrative regulations. In case of conflict between administrative regulations and policy, policy shall prevail.</p>
NO BOARD ACTION	<p>the prior approval of the Superintendent.Administrative regulations are subject to Board review but shall not be adopted by the Board. In case of conflict between the administrative regulations and policy, policy shall prevail.</p>
REVISION	<p>Administrative regulations may be amended at any time by the Superintendent or designated staff, with the prior approval of the Superintendent.</p>
OFFICIAL COPY	<p>The official copy of all documents constituting administrative regulations shall be kept in the Superintendent's office, and the Superintendent or designee shall be responsible for their accuracy. If discrepancies occur among different copies of administrative regulations distributed throughout the District, the official copy shall be regarded as authoritative.</p>
AVAILABILITY	<p>All administrative regulations, including manuals, guides, handbooks, and forms, shall be kept up to date and shall be made accessible to staff, students, and the public as required by law or Board policythe Public Information Chapter of the Government Code. [See GBA]</p>

Delete

PAYROLL PROCEDURES
SALARY DEDUCTIONS AND REDUCTIONS

CFEA
(LOCAL)

ADDITIONAL
AMOUNTS

In addition to legally required deductions, the Board shall permit voluntary deductions [see CFEA(LEGAL)] for:

1. Approved insurance programs;
2. Annuities/deferred compensation programs;
3. Other cafeteria plan options authorized by the Internal Revenue Service;
4. Area teachers' credit unions; and
5. Payment of District property taxes.

Employees may request additional voluntary salary deductions or change the amount(s) of those deductions in accordance with administrative procedures.

EXCESS LEAVE

Deductions shall be made for unauthorized or excess personal leave or sick leave. [See DEC]

EMPLOYEE
ORGANIZATION

Employees shall be provided the convenience of continuous payroll deduction for organizational dues, in accordance with the following:

1. Each employee shall have the opportunity to enroll or drop on a monthly basis.
2. Monthly dues deduction shall continue until the employee requests in writing that it be stopped.
3. Each employee organization benefiting from this procedure shall file with the payroll department a Notice of Active Status on or before September 1 preceding the next school year in which deductions are to be made.
4. Each employee organization benefiting from this procedure shall file with the payroll department any change in dues on or before September 1 preceding the next school year in which deductions are to be made.
5. Each employee organization benefiting from this procedure shall file with the payroll department an agreement promulgated by the District to hold the District harmless in disputes between the employee and the employee organization.
6. The District shall forward the funds collected to the appropriate organization on or before the 15th day of the month following the deduction.
7. An employee wishing to authorize or cancel a deduction shall complete the enrollment/cancellation form and forward it to

Delete

PAYROLL PROCEDURES
SALARY DEDUCTIONS AND REDUCTIONS

CFEA
(LOCAL)

- the appropriate organization, who shall certify the transaction to the payroll department.
8. All organizations wishing to participate in the District's employee organization/union dues deduction plan shall file a Notice of Active Status with the payroll department. Such notice shall contain the following:
- a. Organization name.
 - b. Business address and telephone.
 - c. Listing of officers.
 - d. State or national organization affiliation.
 - e. Breakdown of dues for membership.
 - f. Mailing address for funds collected.
 - g. Statement of intent to represent members, pursuant to District policies and procedures.
 - h. Statement of compliance with Section 617 of the Texas Government Code.
 - i. "Hold Harmless" agreement with the District.
9. Employee organizations utilizing this policy are those that exist in all or in part for the purpose of representing District employees concerning wages, hours, or conditions of work with the administration or Board, or an organization that is solely a professional organization of educators.

UNITED INDEPENDENT SCHOOL DISTRICT
EMPLOYEE ORGANIZATION

Notice of Active Status

Board Policy CFEA mandates that all employee organizations file a "Notice of Active Status" on or before July 1 of the preceding school year in which deductions are to be made. The "Notice of Active Status" shall be submitted to the Director of Accounting. Any change in dues must be submitted on or before July 1 of the preceding school year in which the change in dues come into effect. UISD shall forward the funds collected to the designated representative on this form on or before the fifteenth day of each month following the deduction.

Organization Name _____

Business Address _____

Business Telephone _____

Listing of Officers _____

State or National organization affiliation _____

Breakdown of dues for membership _____

Mailing address for funds collected _____

By signing below, I understand and have read CFEA(LOCAL) and acknowledge that it is the intent of the employee organization that I represent, to represent its members pursuant to the District's policies and procedures. I further acknowledge that the organization herein represented shall adhere to Section 617 of the Texas Government Code, which prohibits collective bargaining and strikes by public employees.

Name _____ Date _____

SAFETY PROGRAM/RISK MANAGEMENT

CK
(LOCAL)

COMPREHENSIVE SAFETY PROGRAMS	<p>The District shall take every reasonable precaution regarding the safety of its students, employees, visitors, and all others with whom it conducts business. The Superintendent or designee shall be responsible for developing, implementing, and promoting a comprehensive safety program.</p> <p>The general areas of responsibility include, but are not limited to, the following:</p>
EMERGENCY STRATEGIES	1. Guidelines and procedures for responding to emergencies.
LOSS PREVENTION STRATEGIES	2. Program activities intended to reduce the frequency of accident and injury, including: <ul style="list-style-type: none">a. Inspecting work areas and equipment.b. Training frontline and supervisory staff.c. Establishing safe work procedures and regulations.d. Reporting, investigating, and reviewing accidents.e. Promoting responsibility for District property on the part of students, employees, and the community.
LOSS CONTROL STRATEGIES	3. Program activities intended to reduce the ultimate cost of accidents and injuries through investigation and documentation.
LOSS FINANCING STRATEGIES	4. Program activities that identify and develop prudent methods of financing loss costs on an annual basis, including the purchase of commercial insurance, self-insured retentions, and risk pooling.
VEHICULAR SAFETY STRATEGIES	5. Driver education programs designed to address the , when available.
	6. Vehicle safety of students, programs.
	7. Traffic safety programs and studies related to employees, visitors students, and all others with whom the community.
INFORMATION MANAGEMENT	The Superintendent or designee shall be responsible for the collection, storage, and analysis of relevant operational and historical data required to develop sound procedures for implementation and operation of the comprehensive safety program. The District conducts its business

Delete

EMPLOYMENT OBJECTIVES
OBJECTIVE CRITERIA FOR PERSONNEL DECISIONS

DAC
(LOCAL)

EMPLOYMENT
RESPONSIBILITIES OF
SUPERINTENDENT

The Superintendent shall establish administrative hiring and selection procedures which are consistent with contract policy and law and which are designed to promote employment decisions in the best interest of the District.

The procedures shall include the following objective criteria for decisions regarding the selection, hiring, dismissal, reassignment, promotion, and demotion of District personnel. These criteria are not rank-ordered and may be considered in whole or in part in making such decisions.

1. Academic or technical preparation, supported by transcripts.
2. Proper certification for grade level, subject, or assignment, including emergency permits and endorsements for specific subjects, programs, or positions.
3. Experience.
4. Recommendations and references.
5. Appraisals and other performance evaluations.
6. The needs of the District.

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240903

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
NEPOTISM

Delete

DBE
(LOCAL)

SUPERVISION OF
RELATIVES
PROHIBITED

No person shall be assigned to a campus or department where a member of his or her own family who is related by blood (consanguinity) within the third degree or by marriage (affinity) within the second degree serves as an administrator. The provision of this policy shall apply prospectively. [See DBE(LEGAL) and (EXHIBIT)] Adopted or foster relationships shall be treated as natural relationships. For the purposes of this policy, the term "administrator" shall not mean counselor, librarian, or coordinator.

ASSIGNMENT AND SCHEDULES

DK
(LOCAL)

SUPERINTENDENT'S
AUTHORITY

All personnel are employed subject to assignment and reassignment by the Superintendent or designee when the Superintendent determines that the assignment or reassignment is in the best interest of the District. Reassignment shall be defined as a transfer to another position, department, or facility that does not necessitate a change in the employment contract of a contract employee. Any change in an employee's contract shall be in accordance with policy DC.

Assignment and transfer of professional staff members to positions in various District schools, divisions, or departments shall be a joint effort by administrators and shall be consistent with District-approved personnel actions. [See BQ series and DK(LEGAL)]

When possible, without violating contract obligations or policy provisions, the principal or department supervisor shall have input into the selection and placement of personnel. Assignments shall be made to budgeted or approved positions only. If a vacancy exists for which an employee returning from leave is qualified, the employee returning shall have priority in being assigned to the vacancy on the campus or department where last assigned.

**SUPERVISION OF
RELATIVES
PROHIBITED**

No person shall be assigned to a campus or department where a member of his or her own family who is related by blood (consanguinity) within the third degree or by marriage (affinity) within the second degree serves as an administrator. [See DBE(EXHIBIT)] Adopted or foster relationships shall be treated as natural relationships. For the purposes of this policy, the term "administrator" shall not mean counselor, librarian, or coordinator.

REASSIGNMENT
WITHIN CAMPUS OR
DEPARTMENT

The campus principal or department supervisor shall be responsible for the assignment and reassignment of all personnel to the specific grade, subject area, or position for which the employee is qualified in his or her area of certification or skill level within the campus or department. Requests from employees for changes in assignment at the campus or department shall be submitted in writing to the principal or department supervisor.

TRANSFER

The primary reason for transfers shall be for improvement of the District's instructional programs. Generally, an employee shall be considered eligible for transfer only after he or she has been assigned to a campus for three or more years; however, the Superintendent may approve an employee transfer request sooner if it is made on the basis of an extreme hardship. For purposes of this policy, extreme hardship may include, but not be limited to, physical or personal circumstances that necessitate transfer to another campus.

ASSIGNMENT AND SCHEDULES

DK
(LOCAL)

The Superintendent shall consider District needs and campus demographics in establishing an allowable maximum percentage of transfers per campus.

Principals shall submit recommendations to the District human resources department concerning personnel assignments at their respective schools.

All personnel may request a transfer to another employment position within the District. Individuals electing to seek assignments to other campuses, positions, locations, and the like shall complete the District transfer form, which shall be submitted to the campus administrator or department supervisor and then to the human resources department. The human resources department shall coordinate the transfer with the appropriate administrator. A transfer shall not be made during the school year except in unusual or exceptional cases, as approved by the Superintendent. The Superintendent shall make the final decision on all transfer requests and shall consider the District's needs and campus demographics in establishing the maximum allowable percentage of transfers. The Superintendent shall consider the following factors in approving or declining a transfer in the following order:

1. Identified needs of District campuses, departments, special assignments, and/or staffing-management committee recommendations.
2. Analysis of the number of transfer requests.
3. Date of hire.
4. Employee certification.
5. Years of experience in the District.
6. Years of experience at the present campus.
7. Years of experience at the present grade or assignment.

During the spring semester, a designated date shall be announced, and the associate superintendent of support services shall furnish the Superintendent with a projection of estimated student enrollment for the next school year, as well as a projection of staff needs.

PROFESSIONAL /
PARA-
PROFESSIONAL
REASSIGNMENT

The factors to be considered in the reassignment of professional and paraprofessional staff members shall be in the following order:

1. Identified needs of District campuses, departments, special assignments, and/or staffing-management committee recommendations.
2. Analysis of transfer volunteer requests.

ASSIGNMENT AND SCHEDULES

DK
(LOCAL)

3. Date of hire.
4. Employee certification.
5. Years of experience in the District.
6. Years of experience at the present campus.
7. Years of experience at the present grade or assignment.

Personnel may be reassigned at anytime in the best interest of the District as determined by the Superintendent.

Shifts in student population, the opening of a new school, and/or budgetary necessity may cause decreases or reductions in personnel allocations or reassignment of personnel from a campus or department. The human resources department shall be responsible for determining the individuals who shall be reassigned with the approval of the Superintendent.

PRINCIPAL'S
APPROVAL

Procedures to be followed by the principal in approving staff assignments are:

1. Identify the campus personnel needs.
2. Notify the human resources department of campus needs.
3. Select qualified applicants from the pool of pre-screened applicants (i.e., those who have been screened and have met all requirements) provided by the human resources department.
4. Schedule and conduct interviews.
5. Notify the human resources department in writing of his or her choice of applicants.

SUPPLEMENTAL
DUTIES

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

WORK CALENDARS
AND SCHEDULES

Subject to the Board-adopted budget and compensation plan and in harmony with employment contracts, the Superintendent shall determine required work calendars for all employees. [See DC, EB]

Daily time schedules for all employees shall be determined by the Superintendent or designee and principals.

ASSIGNMENT AND SCHEDULES

DK
(LOCAL)

TARDINESS

Employees are expected to arrive at work at the time designated by their supervisors. Unexcused or excessive tardiness may result in disciplinary action, including termination of employment.

EMPLOYEE WORK
YEAR

Full-time employees shall render service in accordance with the following provisions:

1. Beginning and ending work dates for each employee category shall be designated in the official salary notice.
2. Leave such as for personal illness, illness in the family, death in the family, and personal business shall be considered as leave with pay, as stipulated in DEC(LOCAL).
3. Holiday schedules for various employment periods shall be issued by the Superintendent.
4. A pay rate for each employee's workday shall be calculated from the annual pay scale.
5. Unless approved by the Superintendent or in emergency situations, employees shall work only the total number of days provided in the funding source for the position.

In cases of emergency, or when schools must close, the Superintendent is authorized to modify the above provisions within the constraints of the law.

EMPLOYEE WORK
SCHEDULES

Teachers shall be on duty at least seven hours and 45 minutes each day as determined by the school principal. A principal may require additional duty time for in-service training, and/or staff meetings, and/or "parent/teacher nights" with as much notice as possible to the teachers, unless urgent circumstances arise that demand immediate attention.

Paraprofessional and auxiliary/classified personnel, with the exception of transportation and department of safety personnel, shall be on duty seven to eight hours each day, as determined by their individual job assignments and by the principal or department supervisor.

All other professional and support personnel shall be on duty a minimum of eight hours each day. Additional duty time shall be expected when necessary to accomplish individual jobs in a satisfactory and professional manner, as determined by the principal or department supervisor.

For purposes of guidance, the following minimums are suggested:

1. Employees on Administrative/Professional Scale (pay grades 1–11) — at least 40 hours per week.

ASSIGNMENT AND SCHEDULES

DK
(LOCAL)

2. Employees on Teacher Job Scale (teachers and nurses) — at least seven hours and 45 minutes per day.
3. Paraprofessional Employees — seven to eight hours per day, depending on position, with a weekly range of 35–40 hours.
4. Auxiliary/Classified Employees — six to eight hours per day, depending on position, with a weekly range of 30–40 hours.

APPEALS

Appeals shall be made in accordance with DGBA(LOCAL).

EXAMINATIONS FOR ACCELERATION TEST SELECTION THE SUPERINTENDENT OR COURSE CREDIT	If designee shall be responsible for the development or selection of tests a student in grades 1–12 wishes may use to earn course credit or accelerate to the next grade level or earn course credit without having received prior instruction in the a course or grade level or course, the District shall offer opportunities in accordance with state law and State Board rules for the student to take a Board-approved examination for this purpose. Each examination shall thoroughly test the essential knowledge and skills in the applicable course or grade level.
TEST DATES	The Superintendent or designee shall establish a schedule of dates, in accordance with law, when examinations for acceleration shall be administered and shall ensure that the dates are published in appropriate District publications or on the District's Web site.
SPECIAL REQUESTS	The District may deny a parent's or student's request for an alternative examination or alternative date.
FEES	The District shall not charge for an examination for acceleration administered on the published dates or alternative dates. However, the student's parent shall pay for an alternative examination approved by the District.
CREDIT APPROVAL	The Superintendent or designee shall award course credit or approve acceleration on the basis of an examination for acceleration, in accordance with State Board rules. A student in grades 9–12 may decline the credit earned by submitting a written request, signed by the student's parent or guardian, within 30 days of being notified of the student's score.;
KINDERGARTEN ACCELERATION	In accordance with State Board rules, the The Superintendent or designee shall allow a child who is five- years -old at the beginning of the school year to be assigned to grade 1 rather than kindergarten in accordance with the following:; <ol style="list-style-type: none">1. A parent request for testing for alternative placement must be submitted to the principal. A parent must complete the Application of Intent to Test Credit-By-Exam form within the first two weeks of school.2. In order to be placed in grade 1, the student must demonstrate academic achievement or proficiency in skills and abilities required in kindergarten. Achievement and proficiency shall be demonstrated through the following:<ol style="list-style-type: none">a. A score of 90 or above on English/language arts/reading and mathematics kindergarten exams from Texas Tech University;

ALTERNATIVE METHODS FOR EARNING CREDIT
CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION

EHDC
(LOCAL)

- b. Positive recommendations from the placement committee (principal, counselor, and teacher) concerning performance and social skills; and
 - c. Successful completion of a one-week trial placement in grade 1, if recommended by the placement committee.
3. The placement committee shall determine the appropriate placement after reviewing all data collected.
4. The parent or guardian shall be contacted in writing by the campus principal after the placement decision has been made.

Delete

The District shall attempt to ensure student safety through supervision of students in all school buildings, at all school sponsored events or activities, and on all school grounds through special attention to the following:

1. Maintaining a reasonably safe school environment. [See CK, CLB]
2. Observing safe practices in those areas of instruction or extracurricular activities that offer special hazards. [See CKB]
3. Developing age-appropriate safety programs and activities for students at each grade level.
4. Emphasizing safety education to students enrolled in laboratory courses in science, industrial arts, health, and physical education. [See CK]
5. Providing first aid for students in case of accident or sudden illness. [See FFAC]
6. Annually reviewing the adequacy of emergency procedures at each campus in the District and providing for staff training in such procedures. [See CKC]
7. Implementing appropriate crisis management procedures when emergencies occur. [See CKC]

The Superintendent and the principals shall develop plans and procedures for acquainting students with safe conduct and behavior in a variety of conditions and circumstances, including play and recreation, fire, severe weather, use of bicycles and automobiles, and use of school transportation. Teachers and administrators shall promote these procedures among students as appropriate.

Note: This policy addresses discrimination, harassment, and retaliation involving District students. For provisions regarding discrimination, harassment, and retaliation involving District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct.

STATEMENT OF
NONDISCRIMINATION

The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

DISCRIMINATION

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or on any other basis prohibited by law, that adversely affects the student.

PROHIBITED
HARASSMENT

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, gender, national origin, disability, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

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

Prohibited harassment includes dating violence as defined by this policy.

EXAMPLES

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

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SEXUAL HARASSMENT
BY AN EMPLOYEE

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
 - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
 - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DF]

BY OTHERS

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

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

EXAMPLES

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

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GENDER-BASED
HARASSMENT

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

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

EXAMPLES

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

DATING VIOLENCE

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense.

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

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

EXAMPLES

Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the

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	<p>student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.</p>
RETALIATION	<p>The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or participates in an investigation.</p>
EXAMPLES	<p>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.</p>
FALSE CLAIM	<p>A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action.</p>
PROHIBITED CONDUCT	<p>In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.</p>
REPORTING PROCEDURES	<p>Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, counselor, principal, other District employee, or the appropriate District official listed in this policy.</p>
STUDENT REPORT	
EMPLOYEE REPORT	<p>Any District employee who suspects or receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.</p>
DEFINITION OF DISTRICT OFFICIALS	<p>For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.</p>
TITLE IX COORDINATOR	<p>Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:</p>

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Name: Rita Garner
Position: Director of Employee Relations
Address: 201 Lindenwood Dr., Laredo, TX 78045
Telephone: (956) 473-6284

ADA/
SECTION 504
COORDINATOR

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Emma Leza
Position: Executive Director of Instructional Accountability
Address: 4410 State Hwy. 359, Laredo, TX 78043
Telephone: (956) 473-2000

SUPERINTENDENT The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

ALTERNATIVE
REPORTING
PROCEDURES

A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

TIMELY REPORTING

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

NOTICE TO PARENTS

The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.

INVESTIGATION OF
THE REPORT

The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.

**INITIAL
ASSESSMENT**

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District ~~official~~ shall

immediately ~~authorize or~~ undertake an investigation, **except as provided below at CRIMINAL INVESTIGATION.** ~~regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending. If not, the District official shall refer the complaint for consideration under FFI.~~

If ~~an investigation is required in accordance with this policy,~~ the District official **determines that** ~~shall also determine whether~~ the allegations, if proven, would **not** constitute **prohibited conduct** ~~bullying,~~ as defined by **this policy, the District official shall refer the complaint for consideration under FFI.**

INTERIM ACTION

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending ~~if appropriate,~~ the District shall promptly take interim action calculated to address prohibited conduct or bullying **prior to** ~~during~~ the **completion** ~~course~~ of the District's ~~an~~ investigation.

DISTRICT INVESTIGATION

The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

CRIMINAL INVESTIGATION

If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.

CONCLUDING THE INVESTIGATION

Absent extenuating circumstances, **such as a request by a law enforcement or regulatory agency for the District to delay its investigation,** the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited con-

duct or bullying occurred. The report shall be filed with the District official overseeing the investigation.

**NOTIFICATION OF
OUTCOME**

Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.

DISTRICT ACTION
PROHIBITED
CONDUCT

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.

CORRECTIVE
ACTION

Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where **prohibited conduct** ~~harassment~~ has occurred, and reaffirming the District's policy against discrimination and harassment.

BULLYING

If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.

IMPROPER
CONDUCT

If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.

CONFIDENTIALITY

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

APPEAL

A student **or parent** who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student **or parent** shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

RECORDS RETENTION

Retention of records shall be in accordance with FB(LOCAL) and CPC(LOCAL).

ACCESS TO POLICY
AND PROCEDURES

Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student

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handbooks. Copies of the policy and procedures shall be posted on the District's ~~website~~ **Web site**, to the extent practicable, and readily available at each campus and the District's administrative offices.

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ADOPTED:

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