



# 2024-2025 EMPLOYEE HANDBOOK



**Harris County**  
Department of  
**Education**



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# EMPLOYEE HANDBOOK ACKNOWLEDGMENT

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## *For All Employees*

Name (print last, first): \_\_\_\_\_

Employee No. \_\_\_\_\_

Campus / Center / Division: \_\_\_\_\_

I hereby acknowledge receipt of an electronic copy of the Harris County Department of Education (HCDE) 2024-2025 Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

This handbook is located on the HCDE portal, under Human Resources, Handbooks and Manuals tab. A paper copy of the 2024-2025 handbook is **available upon request**.

The information in this handbook is subject to change. I understand that changes in HCDE policies may supersede, modify, or render obsolete, the information summarized in this book. Refer to page 1 of the handbook for instructions on accessing Board Policy online, or visit [www.hcde-texas.org](http://www.hcde-texas.org). I acknowledge that I accept responsibility for reading and abiding by policy changes.

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

I understand that I have an obligation to inform my supervisor or division head and Human Resources of any changes in personal information such as the telephone number, address, or other relevant contact information. I also accept responsibility for contacting my supervisor or Human Resources if I have any questions, or concerns, or need further explanation.

Signature: \_\_\_\_\_

Date of receipt: \_\_\_\_\_



# HANDBOOK GUIDELINES

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The Employee Handbook is intended solely as a guide. The language used in this booklet should not be construed as creating a contract of employment between Harris County Department of Education (HCDE) and any of its employees. HCDE expressly retains the right to unilaterally modify or amend this booklet at the Department's sole discretion, with or without notice to the Department's employees.

Employees are encouraged to refer to the HCDE Board approved policies located on the HCDE website at [www.hcde-texas.org](http://www.hcde-texas.org).

Not all Department policies and procedures are included. You may print a paper copy of the policy manual or electronically access the manual. If you would like a paper copy of the policy manual, please contact the Human Resources division. If you should have difficulty accessing or understanding these instructions contact the Human Resources division staff for further assistance.

## **PROCEDURE FOR LOCATING HCDE POLICY**

Go to the HCDE website ([www.hcde-texas.org](http://www.hcde-texas.org)), select Board, Board Policy

### 1. Search (upper right corner)

#### **Search**

Enter a word or phrase

Click **Search**

Example: type in **New hires**

A number of related policies appear such as  
\*DEA (Legal) \*DC (Legal)

### 2. Browse

In the Filter box, enter policy code or title and the policy will appear.

# 2024-2025 HCDE CALENDAR

## **HOLIDAYS**

**Labor Day Holiday:** September 2, 2024  
**Monday**

**Thanksgiving Holiday:** November 28-29, 2024  
**Thursday-Friday**

**Christmas Break Holiday:** December 23, 2024-  
January 2, 2025  
**Monday-Thursday**

**Martin Luther King, Jr. Holiday:** January 20, 2025  
**Monday**

**Spring Break Holiday:** March 10-14, 2025  
**Monday-Friday**

**Good Friday Holiday:** April 18, 2025\*  
**Friday**

**Memorial Day Holiday:** May 26, 2025\*  
**Monday**

**Independence Day Holiday:** July 4, 2025  
**Thursday-Friday**

***\*Makeup days for staff may vary depending on the  
division and school districts served***

## **RETURNING STAFF ORIENTATION**

All Employees, excluding employees hired in the month of July, are required to complete Returning Staff Orientation before August 31, 2024.

Invitations and instructions are sent via email directly to the employee.

## **NEW EMPLOYEE AND BENEFITS ORIENTATION**

Newly hired employees are required to attend New Employee Orientation, held every Monday in Room 504 beginning at 9:00 am. (Changes in venue/schedule will be announced, if applicable).

Newly hired benefits-eligible employees and employees becoming benefits-eligible must attend Benefits Orientation, held immediately after New Employee Orientation.

Orientation must be completed within 30 days of their hire date.

Invitations are sent directly to the employee. Laptops will be provided.

## **PAYROLL DATES**

August 15, 2024 – Thursday

August 30, 2024 – Friday

September 15, 2024 – Friday

September 30, 2024 – Monday

October 15, 2024 – Tuesday

October 31, 2024 – Thursday

November 15, 2024 – Friday

November 29, 2024 – Friday

December 13, 2024 – Friday

December 31, 2024 – Tuesday

January 15, 2025 – Wednesday

January 31, 2025 – Friday

February 14, 2025 – Friday

February 28, 2025 – Friday

March 14, 2025 – Friday

March 31, 2025 – Monday

April 15, 2025 – Tuesday

April 30, 2025 – Wednesday

May 15, 2025 – Thursday

May 30, 2025 – Friday

June 13, 2025 – Friday

June 30, 2025 – Monday

July 15, 2025 – Tuesday

July 31, 2025 – Thursday



# 2024-2025 Work/Holiday Calendar

### HOLIDAYS

September 2, 2024 – Labor Day  
 November 28 – 29, 2024 – Thanksgiving  
 Dec. 23, 2024 – Jan. 2, 2025 – Christmas Break  
 January 20, 2025 – Martin Luther King, Jr. Day  
 March 10 – 14, 2025 – Spring Break  
 April 18, 2025 – Good Friday  
 May 26, 2025 – Memorial Day  
 July 4, 2025 – Independence Day

### BOARD MEETINGS

August 21, 2024  
 September 18, 2024  
 October 16, 2024  
 November 20, 2024  
 December 18, 2024  
 January 15, 2025

February 26, 2025  
 April 16, 2025  
 May 21, 2025  
 June 18, 2025  
 July 16, 2025

### MAKE-UP DAYS

April 18, 2025  
 May 26, 2025

*Make-up days for staff may vary depending on the division and school district served.*

AUGUST							SEPTEMBER							OCTOBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	1	2	3	4	5	6	7			1	2	3	4	5
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26
25	26	27	28	29	30	31	29	30						27	28	29	30	31		

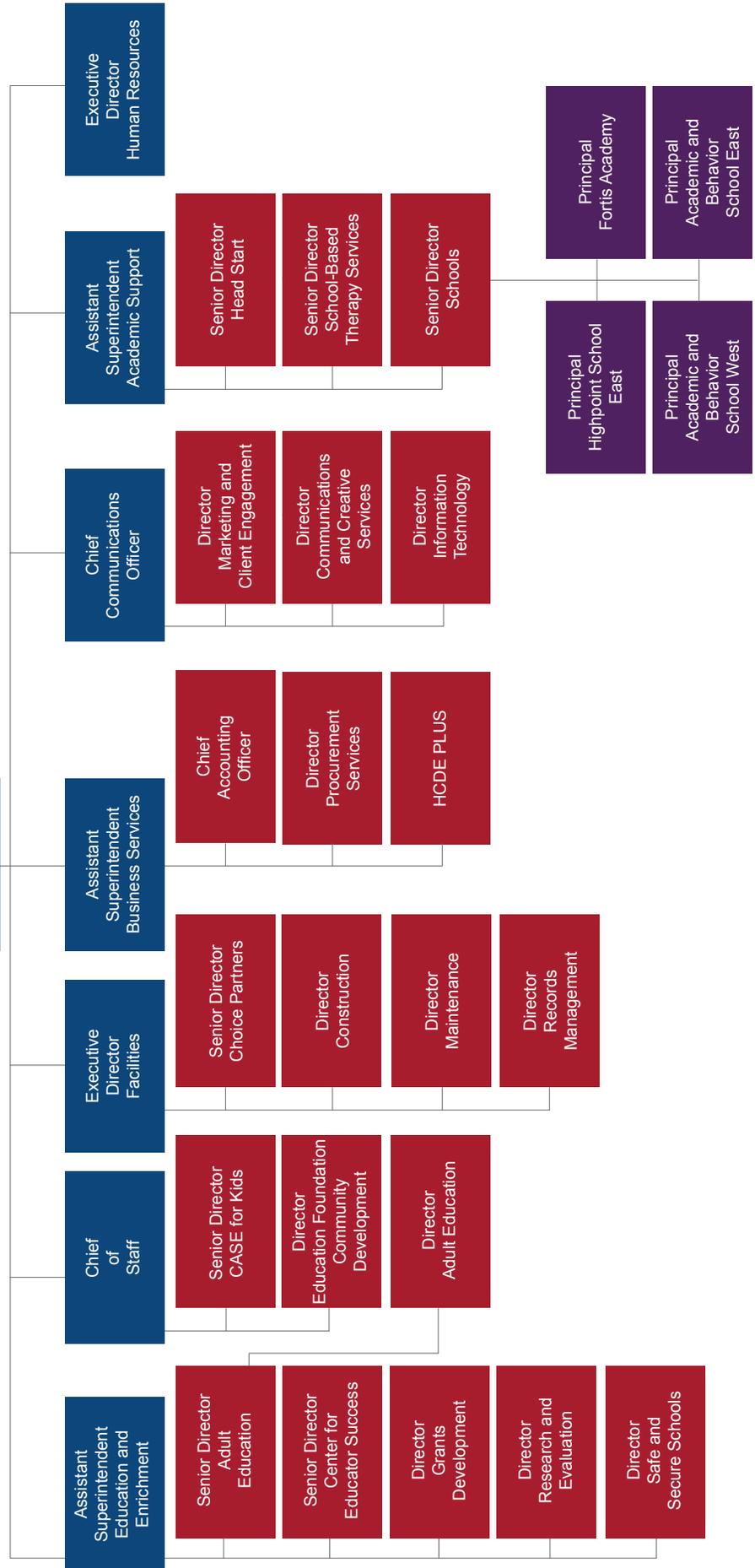
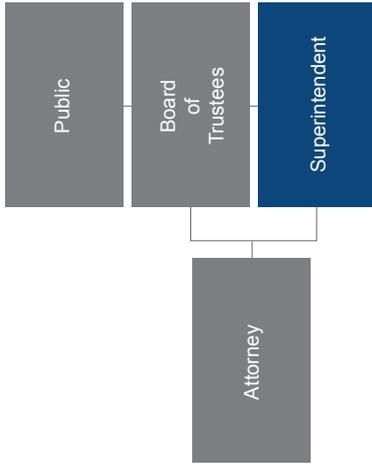
NOVEMBER							DECEMBER							JANUARY						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6	7				1	2	3	4
3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25
24	25	26	27	28	29	30	29	30	31					26	27	28	29	30	31	

FEBRUARY							MARCH							APRIL							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
						1							1				1	2	3	4	5
2	3	4	5	6	7	8	2	3	4	5	6	7	8	6	7	8	9	10	11	12	
9	10	11	12	13	14	15	9	10	11	12	13	14	15	13	14	15	16	17	18	19	
16	17	18	19	20	21	22	16	17	18	19	20	21	22	20	21	22	23	24	25	26	
23	24	25	26	27	28		23	24	25	26	27	28	29	27	28	29	30				
							30	31													

MAY							JUNE							JULY						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	1	2	3	4	5	6	7			1	2	3	4	5
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26
25	26	27	28	29	30	31	29	30						27	28	29	30	31		



# BOARD OF TRUSTEES AND HCDE EXECUTIVE LEADERSHIP TEAM

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

The Board of Trustees is elected by the citizens of Harris County to represent the community's commitment to a strong educational program for the children served by HCDE. Board members serve without compensation, must be qualified voters, and must reside in Harris County.

## **HCDE BOARD OF TRUSTEES**

Amy Hinojosa, ***Board President***

David W. Brown, ***1st Vice President***

Erica Davis, ***2nd Vice President***

Richard Cantu, ***Board Member***

Eric Dick, ***Board Member***

Andrea Duhon, ***Board Member***

Dr. John McGee, Ph.D ***Board Member***

## **HCDE EXECUTIVE LEADERSHIP TEAM**

James Colbert, Jr., ***County School Superintendent***

Jesus Amezcua, CPA, Ph.D., ***Assistant Superintendent for Business Services***

Danielle Bartz, ***Chief of Staff***

Danielle Clark, ***Chief Communications Officer***

Jonathan Parker, ***Assistant Superintendent for Academic Support Services***

C.J. Rodgers, Ed.D., ***Assistant Superintendent for Education and Enrichment***

Tyrone Sylvester, Ed.D., ***Executive Director, Human Resources***

Michelle Williams, Ed.D., ***Executive Director of Facilities***

## **MISSION STATEMENT**

Harris County Department of Education supports Harris County by enriching educational opportunities and providing value through services.

## **GOALS**

1. Impact education by responding to the evolving needs of Harris County
2. Deliver value to Harris County by utilizing resources in an ethical, transparent, and fiscally responsible manner
3. Advocate for all learners by using innovative methods to maximize students' potential
4. Provide cost-savings to school districts by leveraging tax dollars
5. Recruit and maintain a high-quality professional staff

# SERVICE-PROVIDING PROGRAMS/DIVISIONS

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## **EXTERNAL SERVICE-PROVIDING PROGRAMS/ DIVISIONS**

- Adult Education
- Center for Educator Success
- Center for Grants Development
- Center for Safe and Secure Schools
- Choice Partners Cooperative
- The Center for Afterschool, Summer and Expanded Learning (CASE for Kids)
- Head Start (Area I)
- Records Management
- Research and Evaluation Institute
- Schools
  - \* Academic and Behavioral Schools
  - \* Highpoint School
  - \* Fortis Academy
- School-Based Therapy Services

## **INTERNAL SERVICE-PROVIDING DIVISIONS**

- Business Services
- Center for Grants Development
- Marketing & Client Engagement
- Communication and Creative Services
- Facilities Support Services
- Human Resources
- Information Technology Services
- Procurement Services
- Research and Evaluation Institute

# HCDE POLICY HIGHLIGHTS

This section is intended to serve as an introduction to the approved Personnel Policies of Harris County Department of Education. Employees are advised to consult the policies manual located on the Hub under “Helpful Links” for a complete explanation of the policies referenced in this booklet. If you should have any questions regarding any of the Personnel Policies, please consult with either your immediate supervisor or a representative from the Human Resources division.

**Employment Categories** – There are eight categories which constitute the employment categories for all Department employees:

1. Administrative
2. Administrative Support
3. Instructional Support
4. Operations Support
5. Professional Support
6. Technology
7. Head Start Operations
8. Head Start Instructional

**Classifications of Employment (DC Local 10/22/21)**

– All employee are classified as either “exempt” or “non-exempt” from overtime pay requirements of the Fair Labor Standards Act statute, depending on their job duties. In addition, for purposes of salary administration and employer-administered benefits, the Department classifies its employees as follows:

**Full-time regular employees** are employees who are normally scheduled, and actually work, thirty-six (36) or more hours per week on a continuing basis.

Employees in this classification are eligible to participate in the Employee Assistance Program (EAP), medical, dental, vision, life and supplemental life insurance, voluntary long-term disability, reimbursement accounts, state and local personal leave, and voluntary retirement plans.

Only full-time employees who work a twelve (12) month schedule are eligible for vacation.

**Part-time regular employees** are employees who are normally scheduled, and actually work, fewer than thirty-six (36) hours per week on a continuing basis.

Part-time employees working twenty (20) hours or more per week are considered benefits eligible and are eligible to participate in the EAP, medical, dental, vision, life (Department-provided), voluntary long- term disability, reimbursement accounts, and voluntary retirement programs.

Part-time employees working less than twenty (20) hours per week are considered non-benefits eligible. Employees in this classification are eligible to participate in voluntary retirement plans.

Part-time employees working at least ten (10), and not more than nineteen (19) hours per week, are eligible to participate in the medical plan as allowed by the terms of the medical plan. Additionally, such employees must pay both employee and employer premium portions. Employees in this classification are also eligible to participate in voluntary retirement plans.

**Temporary employees** in this classification are eligible to participate in voluntary retirement plans.

**Employees are employed under the following terms (Policies DCA & DCB & DCD & DCE):**

**Chapter 21 Contract Employees (DCA Legal 12/4/14; DCA Local 7/27/04; DCB Legal 1/8/19 & DCB Local 9/24/19)** are covered by Chapter 21 of the Education Code and have appropriate certification and/or credentials. This classification includes principals, assistant principals, classroom teachers, counselors, full-time school nurses, and other full- time professional employees who are required to hold a certificate issued under Education Code Chapter 21, Subchapter B.

**Non-Chapter 21 Contract Employees (DCE Legal 7/10/18/Local 9/9/21)** are not covered by Chapter 21 of the Education Code and are issued term contracts for a term not to exceed one (1) year. They are generally assigned to an administrative position with pay classifications of A6 through A10 or T5.

**At-Will Employees (DCD Legal 9/14/04/Local 9/9/21)** includes employees not entitled to a contract by Chapter 21 of the Education Code, employed on an at-will basis.

The employment-at-will doctrine is the law of Texas, under which an employer has no duty to an employee regarding continuation of employment.

The employee may resign from his/her position at any time.

**Criminal History Record (DC Local 10/22/21)** – The Department shall obtain criminal history record information on all employees, interns, volunteers, and Board and Policy Council members working or volunteering at a school or center.

Head Start employees are subject to criminal history background checks and central registry checks as required by the Texas Department of Family and Protective Services (DFPS).

**Discharge of Convicted Employees (DC Local 10/22/21)** – The Department may discharge an employee if the Department obtains information of the employee’s conviction of a felony or misdemeanor involving moral turpitude that the employee did not disclose to the State Board for Educator Certification (SBEC) or to the Department. An employee so discharged shall be considered to have been discharged for misconduct for the purposes of Labor Code Section 207.044 (unemployment compensation).

**Reporting Criminal Charges and Convictions (DC Local 10/22/21)** – Employees who do not drive Department vehicles, convicted of a felony or a misdemeanor involving moral turpitude, or charged with a criminal offense involving abuse, mistreatment, molestation, or other criminal conduct toward a child, shall notify the Executive Director of Human Resources or designee within five (5) business days of the conviction or charge. Failure to report such conviction or charge is grounds for discipline up to and including termination of employment. Supervisors shall notify Human Resources immediately upon being informed of any such conviction.

In addition, employees shall notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) business days after such conviction.

Drivers of Department vehicles shall report all traffic offenses to Human Resources on or before the next working day following the offense.

**Arrests, Indictments, Convictions, and Other Adjudications (DH Local 9/24/19)** – An employee shall notify his or her principal or immediate supervisor within three (3) calendar days of any arrest, indictment, conviction, no contest or guilt

plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any other offenses including crimes;

- involving school property or funds;
- 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;
- that occur wholly or in part on school property or at a school sponsored activity; or
- involving moral turpitude including:
  - 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; Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code; Felony driving while intoxicated (DWI); or Acts constituting abuse or neglect under the Texas Family Code.

**Tobacco products and e-cigarettes (DH Legal 10/13/23/Local 9/24/19, FNCD Legal 10/13/23)**

– Employees and students are prohibited from smoking, using, or possessing e-cigarettes or tobacco products at a school-related or school sanctioned activity on or off school property or in Department vehicles.

“E-cigarette” means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes:

- A device regardless of whether it is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e- pipe or under another product name or description; and
- A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

**Alcohol and Drugs (DH Local 9/24/19)** – Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on Department property or at Department-related activities during or outside of usual working hours:

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

An employee need not be legally intoxicated to be considered “under the influence” of a controlled substance.

**Searches and Alcohol/Drug Testing (DHE Local 9/24/19)** – The Department reserves the right to conduct searches when the Department has reasonable suspicion to believe that a search will uncover evidence of work-related misconduct. The Department may search the employee, the employee’s personal items, work areas, lockers, and private vehicles parked on Department premises or worksites or used in Department business. Searches that reveal a violation of the Department’s standards of conduct may result in disciplinary action.

A Department employee who refuses to comply with a directive to submit to testing based upon reasonable suspicion shall be subject to disciplinary action, up to and including termination.

The Department may conduct drug tests, without a warrant and without individualized suspicion, of employees in safety sensitive positions and drivers of commercial motor vehicles, including school buses.

**Department Calendars (EB Local 10/7/16)** – Annually, the Superintendent shall recommend a Department calendar that complies with legal requirements for approval by the Board. Once approved, the Department calendar shall be provided to staff, parents, and community members of the Department.

The calendar shall specify certain dates for the following:

- Scheduled holidays

- Bad weather/Department closure make-up days

Notwithstanding the bad weather/ Department closure make-up days listed on the Department calendar, make-up days for Department staff may vary depending on the division and school districts served.

In addition to the Board-approved Department calendar, the Superintendent or his/her designee may develop additional calendars for specific Department divisions and/or campuses as necessary, for Department staff.

The Superintendent is authorized to modify the Board-approved Department calendar and/or any additional calendars for specific Department division and/or campuses in case of emergencies, for reasons of public health and safety or other closures of the Department, subject to approval of the Board.

**Federal Gun-Free School Zones Act (GKA Legal 10/13/23/Local 9/9/21)** – It is unlawful for any individual knowingly to possess a firearm at a place that the individual knows, or has reasonable cause to believe, is a school zone (in, or on the grounds of, a school; or within a distance of 1,000 feet from the grounds of a school).

The Department prohibits the unlawful use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on all Department property at all times. No violation of this policy occurs when a Texas handgun license holder stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the Department, as long as the handgun or other firearm is not in plain view, or the use, possession, or display of an otherwise prohibited weapon takes place as a part of a Department-approved activity supervised by proper authorities.”

**Fraud and Financial Impropriety (CAA Local 9/24/19)** – All Trustees, employees, vendors, contractors, agents, consultants, volunteers, and any other parties who are involved in the Department’s financial transactions shall act with integrity and diligence in duties involving the Department’s fiscal resources. The Department prohibits fraud and financial impropriety, as defined below, in the actions of its Trustees, employees, vendors, contractors, agents, consultants, volunteers, and others seeking or maintaining a business relationship with the Department.

Fraud and financial impropriety shall include but not be limited to:

- Forgery or unauthorized alteration of any document or account belonging to the Department.
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
- Misappropriation of funds, securities, supplies, or other Department assets, including employee time.
- Impropriety in the handling of money or reporting of Department financial transactions.
- Profiteering as a result of insider knowledge of Department information or activities.
- Unauthorized disclosure of confidential or proprietary information to outside parties.
- Unauthorized disclosure of investment activities engaged in or contemplated by the Department.
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the Department, except as otherwise permitted by law or Department policy. [See CB, DBD]
- 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 Department policy.
- Any other dishonest act regarding the finances of the Department.
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards.

**Credentials and Records (DBA Legal 10/19/21/ Local 1/6/17)** – A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, or school counselor by the Department unless the person holds an appropriate certificate or permit. A person who desires to teach in a HCDE school shall present his/her certificate for filing with the Department before a contract with the Board is binding.

Educational Aides shall be certified according to standards established by SBEC.

Only persons holding appropriate credentials from an appropriate state agency which licenses for that professional may occupy positions requiring a license for that profession.

**Updating Credentials** – All professional employees who have earned certificates, endorsements, or degrees of higher rank since the previous school year shall file with the Human Resources division:

- An official college transcript showing highest degree earned and date conferred
- Proof of the certificate or endorsement

**Compensation and Benefits (DEA Local 9/24/19)**

– The Superintendent shall recommend to the Board for approval compensation plans for all Department employees. Compensation plans may include wage and salary structures, stipends, benefits, and incentives.

**Cafeteria Plan Benefits (CRD Local 5/13/05)**

– Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulation, must either accept or reject this benefit. This plan enables employees to pay certain insurance premiums on a pre-tax basis. A third-party administrator handles employee claims 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 specified time periods.

**Health Insurance and Life Insurance (CRD Legal 12/16/22/Local 5/13/05)**

– Group health insurance coverage is provided through TRS-ActiveCare, the statewide public school employee health insurance program. The Department’s contribution to employee insurance premiums is determined annually by the Board of Trustees. Employees eligible for health insurance coverage include the following:

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are employed for 10 or more regularly scheduled hours per week, only if the employee pays all of the premiums and other costs associated with the health coverage plan

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 available to employees in a separate booklet. Contact the Benefits Coordinator at 713-696-8284. Additional information is located through **Benefitsolver** at [www.benefitsolver.com](http://www.benefitsolver.com).

**Supplemental Insurance Benefits (CRD Local 5/13/05)** – At their own expense, employees may enroll in supplemental insurance programs (including, but not limited to, dental, vision, disability, and term life insurance). Premiums for these programs can be paid by payroll deduction. Contact the Benefits Coordinator at 713-696-8284. Additional information is located through **Benefitsolver** at [www.benefitsolver.com](http://www.benefitsolver.com).

**Breaks for Nursing Mothers (DG Legal 10/13/23)** – The Department supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion for other employees and the public where the employee can express breast milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express breast milk. The Department is not required to compensate the employee receiving reasonable break time for any work time spent for such purposes. Employees should meet with their supervisor to discuss their needs and arrange break times.

**Compensatory Time (DEA Local 9/24/19)** – At the Department's option, non-exempt employees may receive compensatory time off, rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay. Accrual and use of compensatory time shall be administered in accordance with administrative procedures. Non-exempt employee shall not work overtime without prior written approval of their supervisor.

**Leaves and Absences (DEC Legal 10/13/23/Local 4/29/22)** – The Department offers employees paid and unpaid leaves of absences in times of personal need. Employees who have personal needs that will require long leaves of absence should notify their principal, division director, or immediate supervisor, and call Human Resources for counseling about leave options, continuation of benefits and communicating with the Department.

# TYPES OF LEAVE

The Department offers the following types of leave:

<b>1. Personal/Sick Leave</b>	<b>7. Assault Leave</b>
<b>2. Bereavement (Funeral) Leave</b>	<b>8. Catastrophic Sick Leave (CSL)</b>
<b>3. Family and Medical Leave (FML)</b>	<b>9. Military Leave</b>
<b>4. Temporary Disability Leave</b>	<b>10. Leave of Absence</b>
<b>5. Jury and Witness Duty</b>	<b>11. Administrative Leave</b>
<b>6. Religious Observance</b>	<b>12. Vacation</b>

## **TRANSFER OF LEAVE**

Upon receipt of the employee's "Service Record" from a school district, an employee's accumulated state sick leave and state personal leave days will be transferred to the employee's Department state sick leave and state personal leave record. The Department shall accept the sick leave accrued by an employee who was formerly employed by a regional education service center not to exceed five (5) days per year for each year of employment.

## **MEDICAL CERTIFICATION**

An employee shall submit medical certification of the need for leave if:

An employee who is absent three (3) days or more because of a personal illness is required to submit, upon return to work, medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and fitness to return to work.

The employee who is absent three (3) days or more because of a family illness is required to submit, upon return to work, medical certification from a qualified health care provider confirming the dates of the family member's illness.

The Department may require an employee to submit medical certification from a qualified health care provider due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent.

***Immediate Family*** shall include:

1. Spouse.
2. Son/daughter, including biological, adopted, or foster, a son- or daughter-in-law, step-child, 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, step-sibling, sibling-in-law.

5. Grandparent and grandchild.

6. Any person who may be residing in the employee's household at the time of illness or death.

## **PERSONAL LEAVE**

### **STATE PERSONAL LEAVE**

Each full-time employee working 36 or more hours per week on a continuous basis shall receive five (5) days per school year of state personal leave with no limit on accumulation.

The Department shall make state personal leave for the current year available for use at the beginning of the school year. No more than five (5) days shall be earned in any one school year.

If an employee separates from employment with the Department before his or her last duty date of the year, or begins employment after the first duty day, state personal leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty date of the school year, the employee's final paycheck shall be reduced for state personal leave the employee used beyond his or her pro rata entitlement for the school year.

### **ADDITIONAL LOCAL LEAVE**

All full-time employees working 36 or more hours per week on a continuous basis shall accrue additional local leave. Eligible employees in a 10, 11, or 12-month of service position who work, and are not on unpaid leave, at least ten (10) days per month shall accrue an additional five (5), six (6), or seven (7) equivalent workdays respectively, of local personal leave per school year.

### **USE AND RECORDING**

Leave shall be recorded in 15-minute increments only. To minimize disruption to the operations of

the Department, the Board imposes restrictions on the use of leave for events that are reasonably foreseeable. The principal, division director, or supervisor may regulate the use of state and local personal leave but may not restrict the purpose for which the leave may be used.

### **DEDUCTIONS (DEC LOCAL 4/9/22)**

The Department shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.

An employee on an unpaid leave of absence shall be responsible for the payment, in advance, of the employee's portion of all insurance premiums and all other regularly scheduled payroll deductions.

**Non-Discretionary Leave** shall be used for the same reasons as state sick leave, personal or family illness, family emergency, or death in the immediate family. The term "***family emergency***" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family. The use of accrued, non-discretionary personal leave or of accumulated sick leave shall not be withheld from an employee; however, an absence of three (3) days due to illness shall require certification of a health care provider.

**Discretionary leave** shall be taken at the individual employee's discretion. This type of leave is usually possible to plan or schedule in advance. Principals and supervisors may deny any request for the use of discretionary leave which would disrupt the Department's ability to provide services and/or have an adverse effect on the education of the students the Department serves.

The following restrictions apply:

1. Discretionary leave shall not be taken without written authorization from the employee's supervisor. Employees should confirm a substitute for their absence, if a substitute is required.
2. Discretionary leave shall be granted on a first-come, first-served basis, provided that no more than ten percent (10%) of the employees on a campus are absent on the same date.
3. Discretionary leave may not be taken for more than three consecutive days.
4. Campus instructional employees may not use discretionary leave on days that are scheduled for staff development, the day before or after a school holiday, the first or last day of a grading period, the first or last day of a semester, days scheduled for

state-mandated tests, or days scheduled for end-of-semester or end-of-year examinations.

5. Employees who use discretionary leave to cover an absence may not work for independent school districts or other governmental entities while absent.

No more than five (5) discretionary days may be taken in any school year for employees working in 10- and 11-month positions. No more than six (6) discretionary days may be taken in any school year for employee working in 12-month positions.

Employees may petition to use the accrued leave day on the first day of the following month or any time thereafter.

### **LEAVE CHANGE REQUEST**

Once an employee's leave is recorded into the payroll system, an employee may not change the already-recorded leave to another type of leave, even if the subsequent change in leave type is requested or approved by a division director or supervisor. Notwithstanding the foregoing, an employee may change already-recorded leave to temporary disability leave or FMLA leave, with permission of the HCDE Human Resources Division. HCDE may change an employee's leave type at any time, as permitted by Board policy and applicable law.

### **BEREAVEMENT (FUNERAL) LEAVE**

The Department supports employees and families experiencing the loss of a family member. Full-time employees may request up to three (3) days of paid bereavement leave to assist with arrangements and visitations. Immediate family is defined as an employee's spouse, child, parent, or sibling. Employees shall notify their supervisor as soon as possible and may, with prior approval, use additional leave (personal, vacation, or compensatory time) not to exceed five (5) days

### **FAMILY AND MEDICAL LEAVE ("FMLA")**

An employee who has been employed by the Department for at least 12 months (need not be consecutive) and for 1,250 hours during the previous 12 months immediately preceding the commencement of leave, as defined below, shall be entitled to, but limited to a total of 12 work weeks of leave without loss of any employment benefit accrued prior to the beginning of the leave, during any 12-month period for one or more of the following reasons:

1. Because of the birth, adoption or foster care placement of a son or daughter and to care for the newborn (provided the leave is taken within 12 months of the birth, adoption, or placement of the child).

2. To care for the employee's spouse, son or daughter under the age of 18, or parent with a serious health condition;
3. Because of a serious health condition that makes the employee unable to perform the functions of the employee's job;
4. Because of any qualifying exigency arising out of the fact that the employee's spouse, son or daughter, or parent is a covered military member on covered active duty or has been notified of an impending call or order to active duty; or
5. To care for a covered service member with a serious injury or illness incurred in the line of duty if the employee is the spouse, son, daughter, parent, or next of kin of the service member.

**Family** (under FMLA) shall include:

Spouse, including a husband or wife as defined or recognized under state law for purposes of marriage in the state where the employee resides, including common law marriage in states where it is recognized. 29 C.F.R. 825.122(a)

Son or daughter, including a biological, adopted, or foster child, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis, who is either under age 18 or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence. 29 C.F.R. 825.122(c)

Parent, including a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter, but not including parent "in-law". 29 C.F.R. 825.122(b)

Employees are required to use accumulated compensatory time and accrued paid leave during FMLA.

**Qualifying Exigency** (DECA Legal 10/16/17) includes short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, parental care, and additional activities (provided that the Department and the employee agree that the leave shall qualify as an exigency, and agree to both the timing and duration).

### **TWELVE-MONTH PERIOD**

The 12-month period within which employees shall be eligible for 12 workweeks of family and medical leave and/or temporary disability leave is based on a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave or temporary disability leave.

### **MILITARY CAREGIVER LEAVE**

In the case of Military Caregiver Leave, an eligible employee's FMLA leave entitlement is limited to a total 26 workweeks of leave during a "single 12-month period" (measured forward from the date an employee's first FMLA leave to care for the covered service member begins).

### **SUMMER VACATION AND OTHER EXTENDED BREAKS (DECA LEGAL 10/16/17)**

If the Department's activity temporarily ceases and employees generally are not expected to report to work for one or more weeks (i.e. school closing for two weeks for Christmas/New Year holiday), or the period during the summer vacation when the employee would not have been required to report for duty, those days do not count against the employee's FMLA leave entitlement.

### **TEMPORARY DISABILITY LEAVE (DEC LEGAL 10/13/23/ LOCAL 4/29/22)**

Temporary Disability Leave is available for full-time employees and shall not exceed a total of 180 calendar days in a "rolling" 12-month period measured backward from the date an employee used any temporary disability. An employee may apply for temporary disability leave by submitting a request to the Executive Director of Human Resources through the principal or immediate supervisor. The Superintendent or designee may grant an unpaid leave of absence for temporary disability leave at any time the employee's condition interferes with the performance of his or her regular duties.

The employee shall accrue no employee benefits during the period of leave but may continue participation in the Department's insurance programs by paying the full monthly premiums.

### **CONCURRENT USE OF LEAVE**

Any applicable, accrued, and unused paid leave time, workers' compensation and temporary disability leave, when applicable, shall run concurrently with family and medical leave.

### **JURY AND WITNESS DUTY (DEC LEGAL 10/13/23/ LOCAL 4/29/22)**

Employees shall inform their supervisors immediately upon being served with notice of jury duty. An employee shall be granted leave with pay and without loss of accumulated leave for jury duty. Upon return to work, the employee shall be required to present to the immediate supervisor a written statement from the court clerk certifying the dates and times the employee reported for service and the time of release. That employee shall be allowed to retain any compensation for this service. An employee who is released from jury duty at or before

noon must report to his or her center, campus, or division for afternoon services.

### **ASSAULT LEAVE**

An employee who is physically assaulted during the performance of regular duties is entitled to the number of days of leave necessary to recuperate from all physical injuries sustained as a result of the assault, but not to extend more than two years beyond the date of the assault. Assault Leave provides extended job income and benefits protection to an employee who is physically injured as a 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, HCDE 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 HCDE 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. The employee shall accrue no employee benefits during the period of paid leave. Assault leave shall run concurrently with a leave of absence for temporary disability and family and medical leave if applicable.

### **COORDINATION WITH WORKERS' COMPENSATION BENEFITS (DEC LEGAL 10/13/23)**

Notwithstanding any other law, assault leave benefits due to an employee shall be coordinated with temporary income benefits due from workers' compensation so the employee's total compensation from temporary income benefits and assault leave benefits will equal 100 percent of the employee's weekly rate of pay.  
Education Code 22.003(b)-(c-1)

### **CATASTROPHIC SICK LEAVE (CSL) (DEC LOCAL 4/29/22)**

is intended to provide for the alleviation of the hardship caused to an eligible employee if a catastrophic illness or injury forces the employee to exhaust all leave time accrued by that employee.

Effective August 1, 2008, an employee who wishes to become a new member of the Sick Leave Bank (SLB) must make an initial contribution of three (3)

local personal leave or state leave days to the SLB. Contributions may be made only during the enrollment period (September 1 through September 30). After the initial contribution year, to maintain membership, the member must contribute at least one local personal leave or state sick leave day per fiscal year during the enrollment period.

Employees who resign, retire, or are terminated may not contribute accrued sick/personal leave into the pool.

A member is eligible to receive donated sick/personal leave contributed to the SLB if, because of a catastrophic illness or injury, the employee has exhausted all of his or her sick, personal, and vacation leave (if any).

### **LEAVE OF ABSENCE**

Part-time, benefit eligible employees may be granted a leave of absence for the employee's medically related illness if they do not qualify for any other leave provided by the Department. An approved leave of absence shall not exceed a total of 90 calendar days.

### **ADMINISTRATIVE LEAVE**

The Superintendent may place an employee on Administrative Leave, at his discretion, in the following circumstances:

Pending the investigation of a complaint or allegation of wrongdoing against the employee by the Department, law-enforcement, or other regulatory entity; or

When the Superintendent determines such placement to be in the best interest of the Department.

An employee may be placed on Administrative Leave for a definite or indefinite period of time at the superintendent's discretion.

### **ATTENDANCE (DEC LOCAL 4/29/22)**

In order to ensure continuous delivery of service to Department programs, each employee must maintain the Department's standards of attendance and punctuality. Employees are expected to report to work on time, observe the limits of lunch breaks, and not to leave work early without prior approval from the immediate supervisor. Employees are expected to give timely notice to their immediate supervisor whenever they will be absent or tardy. Employees are also required to follow call-in procedures as developed by the division director or supervisor. Employees may be disciplined, up to and including termination, for failure to maintain the Department's standards of attendance and punctuality.

### **ABSENCE CONTROL (DEC LOCAL 4/29/22)**

Any employee who is absent for greater than 180 calendar days in a "rolling" 12-month period is

automatically terminated, except if an employee has more than 180 days of accumulated leave time. Even after application of all concurrent use of leave as explained in this policy, that employee will be automatically terminated the first work day after the remaining accumulated leave time is expired.

Such discharged employees may reapply for employment when they are able and willing to return to work. Discharge of contract personnel will be implemented in accordance with state law and Department policy.

### **PERFORMANCE APPRAISAL (DN LOCAL 8/5/04)**

All Department employees will be appraised in the performance of their duties at least one time per school year in accordance with administrative procedures.

### **EXIT INTERVIEWS AND PROCEDURES (DC LOCAL 10/22/21)**

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

### **UNEMPLOYMENT INSURANCE (CRF LEGAL 5/30/19)**

Employees shall be ineligible to receive benefits if:

- They perform instructional, research, or principal administrative service and have a contract or reasonable assurance of performing such services for any educational institution during the next academic year or term.
- They perform other services for the Department and have reasonable assurance of performing such services during the next academic year or term.
- They perform services described above immediately before a vacation period or holiday recess and have reasonable assurance of performing such services during the period following such vacation or holiday recess.

### **EMPLOYEE ASSISTANCE PROGRAM (DI LOCAL 4/27/11)**

The Employee Assistance Program (EAP) is a confidential, voluntary program that provides easy access to counselors and professionals who can offer

employees and their families support and counseling for personal or job-related issues.

The EAP is made available to all benefits-eligible employees and their family members living in their household, including but not limited to spouse, children, stepchildren, grandchildren and parents through Alliance Work Partners (AWP). Types of problems and issues that an EAP can address include marital, family, alcohol/drug, emotional, stress, financial, and legal. The program provides for six counseling sessions per issue, per person, per year. Also available are legal and financial consultations (up to 30 minutes, in person or by phone, per issue or question), and a free on-line law library.

There is no cost to employees for the counseling sessions available through the EAP. The cost of treatment, counseling or rehabilitation resulting from EAP referrals will be the responsibility of the employee. Contact 800-343-3822 any time, 24 hours a day, 365 days a year.

### **OUTSIDE EMPLOYMENT (DBD LOCAL 10/7/16)**

An employee who desires to engage in any type of employment outside the assigned duties in the Department must have approval of the Superintendent or his designee prior to accepting such employment. Request for approval shall be submitted in writing to the principal or immediate supervisor for transmittal to the Superintendent or his designee. Approval shall be obtained for each school year, and approval for one school year shall not automatically extend to future years.

### **EMPLOYMENT WHILE ON LEAVE (DEC LOCAL 4/29/22)**

Employees on approved leave may not work for other employers while on leave. The prohibition on outside employment includes working as a consultant.

Employees who work while on leave are subject to termination in accordance with Department termination procedures.

# HCDE PROCEDURES

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## **DRESS AND GROOMING (DH LOCAL 9/24/19)**

The dress and grooming of Department 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 or designee.

## **DRESS AND PERSONAL APPEARANCE (PROCEDURE 7/6/22)**

The standard of dress has been established to:

- Reflect the high standards of the organization;
- Create an atmosphere of respect for authority, set a positive role model for students, promote safety, and encourage proper hygiene and grooming;
- Promote a consistent standard of dress and personal appearance; and
- Support a productive, safe work environment.

## **A. GENERAL GUIDELINES – EFFECTIVE FOR ALL EMPLOYEES**

### **CLOTHING**

Employees are to wear clothing that is neat and clean. Employees are not to wear clothing that is tight, revealing, short, torn, tattered, dirty, excessively faded, or with visual, written, or implied messages or logos that are likely to disrupt the school or work environment.

### **JEWELRY**

Jewelry and accessories that could create noise or distraction or cause a safety hazard may not be worn. In keeping with professional decorum, ears are the only exposed areas of the body on which pierced jewelry may be worn.

### **FOOTWEAR**

Footwear must be worn at all times. Loafers, boots, flats, closed-toe shoes or dressy sandals with or without a secured back may be worn. Athletic/tennis shoes, thongs, flip flops, Crocs and slippers are not acceptable. Physical education teachers, Academic and Behavior School staff, Head Start instructional staff, maintenance staff, and Records Management staff may wear athletic/tennis shoes. Athletic/tennis shoes must be clean and in good condition.

### **HAIR**

Hair should be neat, clean, well-groomed, and not distracting.

## **TATTOOS**

Employees with a tattoo(s) will be required to cover the tattoo. In most all circumstances, tattoos should not be visible.

## **B. SPECIFIC GUIDELINES**

### **OFFICE STAFF – AT ALL LOCATIONS**

The work environment of HCDE should reflect a professional setting and the type of apparel worn by employees should reflect this setting and environment.

### **ACCEPTABLE**

- Suits
- Dress shirt and tie
- Pants/slacks (fitted, but not tight)
- Skirts/dresses (no more than 2-3 inches above knee)
- Pants (fitted, but not tight)
- Blouses or vests
- Blazers or sport coats
- Contrasting and coordinating jackets
- Sweaters and sweater sets
- Sleeveless blouses and/or tops
- Maxi dresses (with shoulder straps no less than 2 inches wide)
- Collard knit or polo shirts
- Turtleneck, mock turtleneck shirts

### **NON-ACCEPTABLE**

- Denim and jeans
- Athletic/tennis shoes
- Mini skirts
- Shorts and skorts
- Shirts with inappropriate logos\*
- Wind suits
- Spandex
- Tank tops, halters, spaghetti straps
- Leggings
- Sweat pants

- Midriff shirts
- T-shirts
- Tube tops

\*Inappropriate logos include reference to alcohol, tobacco products, sex, vulgar language, or symbols or language that detracts from a conducive learning or working environment.

### **CAMPUS STAFF**

Teachers are expected to set a good example for their students and should be dressed in a manner that is at a minimum equivalent to the standards set forth for student dress. Clothing that is obviously inappropriate for school activities must not be worn. Black or white athletic/tennis shoes in clean and good condition may be worn by staff assigned to an ABS campus. Denim may also be worn on Fridays with the approved campus “spirit shirt”.

### **HEAD START STAFF**

Proper attire will enable the instructional staff to work effectively with children enhancing the quality of education and the child development program for all children. Clothing should allow for freedom of movement indoors and outdoors. This includes pants or skirts that extend below the knee. Pants or skirts must allow the employee to kneel down, sit on the floor with legs crossed, and run.

Shoes must be enclosed and have flat, no skid soles, with soles no more than one-inch high. Staff must be able to run outdoors, to play in the sand, grass, and dirt. Athletic/tennis shoes are allowed for instructional staff only.

Fingernails must be short enough to allow the employee to finger paint, work with play dough, etc. The length of the nail must not display advertising and may only display logos or messages that are child-related.

Hair must be worn in a style that allows the employee to lean over, play outdoors, and hold children with ease. All employees entering the kitchen and those assigned as a cook must wear hairnets.

### **SCHOOL-BASED THERAPY SERVICES STAFF**

Field staff are required to dress in a manner appropriate to their environment and in keeping with their assigned district’s/program’s dress code.

### **ADULT EDUCATION STAFF**

Instructional staff are required to dress in a manner that displays professionalism. Instructional staff for Adult Education who work full time with other district programs and work part time for Adult Education should comply with the dress guidelines

established for the districts. Instructional staff shall not wear shorts.

### **FACILITIES STAFF**

Clothing should allow for the safe performance of assigned job responsibilities. Maintenance and custodial staff are allowed to wear denim clothing and athletic/tennis shoes. Torn and tattered clothing is not allowed.

### **RECORDS MANAGEMENT STAFF**

Clothing should allow for the safe performance of assigned job responsibilities. Records Center staff are allowed to wear denim clothing and athletic/tennis shoes. Records Technicians are required to wear HCDE polo shirts and black or khaki pants or shorts. HCDE polo shirts for Technicians are provided by the Department.

### **SUPERVISOR’S RESPONSIBILITY**

The supervisor is responsible for evaluating the dress and appearance of employees under his or her supervision. The supervisor will ensure that employees are aware of and understand expectations with regards to the dress and personal appearance standards.

### **CASUAL FRIDAY**

Denim has been approved for HCDE staff to wear on a weekly basis on Friday of each week. Denim wear must adhere to the regular HCDE dress code procedures in that it must be appropriate for the workplace and not create distractions among staff. This includes properly-sized denim jeans, skirts, jackets, and/or shirts along with footwear that is also appropriate for the workplace. (As indicated in the Dress Code, footwear must be worn at all times. Loafers, boots, flats, closed-toe shoes, or dressy sandals-with or without a secured back- may be worn. Thongs, Crocs, and slippers are not permitted. Athletic/tennis shoes may be permitted on special occasions as approved by Human Resources for employee events.

Employees who report to work locations where uniforms or other attire is required may not participate in denim wear on Fridays without the permission of his or her supervisor, campus principal, or center manager, etc. Employees unsure as to whether or not this procedure applies to his or her worksite should contact his or her supervisor prior to wearing denim.

### **VIOLATIONS**

A violation of the dress and personal appearance standards will result in the following actions:

**First occasion:** An oral warning should be given to the employee, and the Department's dress and appearance standards should be reviewed.

**Second occasion:** The employee should be sent home to change clothes immediately and a written warning will be given to the employee. The written reprimand should be labeled second offense and placed in the employee's personnel file. Pay for that day will be adjusted according to the lost time.

**Third occasion:** The employee will receive one day suspension without pay and his/her employment status will be reviewed for further action which may include termination of employment.

### **EXCEPTIONS**

The Superintendent or his designee must approve all exceptions to the dress and personal appearance procedure. Variations to the dress and personal appearance procedure may be allowed for special employee events, staff cleaning days and during the summer months. Human Resources will distribute notice of variations as appropriate.

Note: These guidelines cannot address every specific situation or article of clothing. In situations when someone's dress does not clearly fall within the guidelines provided, the supervisor has the responsibility to make judgment calls on whether someone's appearance detracts from the overall goal of maintaining a professional image.

# HCDE PROCEDURES

There are a number of personnel procedures, located on the HCDE HUB, *Divisions, Human Resources, Procedures-Human Resources*, to inform staff of acceptable processes and regulations governing employment. They include:

Bereavement Leave	Family and Medical Leave	Reduction in Force
Call Back Pay	Guidelines for Employing TRS Retirees	Request for Employment Verification
Celebratory Events for Employee Procedures	Hours of Work	Retirement Recognition Procedures
Cell Phone Allowance	Identification Badges	Salary Payments and Pay Calculation
Change of Personal Data Name Address	Identity Theft Prevention Program Resolution	School Bus Driver Requirements
Children in the Workplace	Job Descriptions	Separation of Employment
Criminal History Applicant Instructions	Leave of Absence	Service Records
Criminal History Record Information (Access Use and Dissemination)	National Criminal History Records Information	Staff Qualifications
Death of an Employee Procedure	NEWSlink Protocol	Substitute Teachers and Educational Aides
Disciplinary Procedure	Notice of Fingerprinting Requirement	Summary of Leave Benefits
Dress and Personal Appearance	Official Transcript	Summary Flex Procedure
Drivers of Department Owned or Leased Vehicle Requirements	Overtime and Compensatory Time	Temporary Disability
Earned Non-Duty Day	Performance Management Procedure	Timekeeping Procedure
Emergency Essential Personnel Procedure	Personal Leave	Travel Allowance
Employee of the Month	Physical Assault Leave Procedure	Vacation Procedure
Employee Recognition Procedure	Reasonable Accommodation	Work Calendars
Equipment and Resource Management	Recruiting and Hiring	Workers' Compensation Procedures

Rev. 05.01.24

## **VACATION (DED LOCAL 1/11/21)**

Full-time employees who are normally scheduled, and actually work, forty

(40) hours per week in a 12-month position shall receive paid vacation leave each calendar year beginning January 1 and ending December 31. Employees who are not full-time employees, in 12-month positions, are not eligible to receive paid vacation leave. Vacation days shall not accumulate while on an unpaid leave status. Employees on a leave status (FMLA, temporary disability, workers' comp, leave of absence) accumulate vacation days on a prorated basis based on days worked in a year.

Based on the number of years an eligible employee has been employed by the Department, paid vacation leave accumulates as follows:

- Employed up to 10 years – receives 10 days each calendar year
- Employed for 10 years or more – receives 15 days each calendar year\*
- Newly employed after January 1 – receives a prorated number of days based on the number of days worked in the year. Newly employed vacation shall be prorated beginning with the month the employee is employed prior to the 20th day of the month.

Employees are eligible to take vacation at any time after January 1 of the year following the year in which vacation is accrued.

\*An employee must work in a vacation eligible position, 12-month position, for 10 years to receive 15 days. Time worked in a non-vacation eligible position, less than 12-months, will not be considered in calculation of 10 years of service in so far as eligibility for 15 days of vacation.

Upon reaching ten years of service, vacation shall be awarded at a reviewed prorated rate beginning the following year. For example, an employee is hired August 2008 and reaches 10 years of service in August 2018. In January of 2019 the employee will receive 12 days of vacation from the previous year's prorated calculation. In January 2020 the employee shall receive 15 days.

All vacation must be taken during the calendar year following the calendar year in which it is received. Any vacation that is not taken during the calendar year following the year in which the vacation was received will not be carried over to the next year and will be forfeited, unless otherwise approved by the Superintendent.

If an employee's work schedule changes to a 12-month work schedule, then he/she will be eligible

for vacation based on the stated schedule. Employees whose work schedules change to less than 12 months must take any accumulated vacation within 60 days of the effective date of the change or by August 31st of the current fiscal year, whichever is later.

## **VACATION/PERSONAL LEAVE CHANGE REQUEST**

Once an employee of the Department submits an Absence Report/Request form and the information on the form is recorded into the payroll system, no employee of the Department shall convert (or change) the already recorded leave to another type of leave, even if the subsequent change in leave type is requested or approved by a division director or supervisor.

Employees may not work for independent school districts or other governmental entities while using vacation.

## **SENSITIVE INFORMATION**

Harris County Department of Education employees, contractors, consultants, temporary workers, vendors, students, interns, Policy Council members, and Board members are obligated by law and policy to protect sensitive information created, possessed, used, or maintained by the Department. The use of common sense and good judgment in securing confidential information is encouraged.

Guidelines are outlined in the Confidentiality and Safeguarding Sensitive Information section in this handbook and in Policy CQ (Local).

## **EMPLOYEE RECOGNITION**

Harris County Department of Education appreciates the effort of its employees to achieve department goals and to fulfill its mission statement. Outstanding employees deserve to be recognized both as a reward for exceptional performance and as a model for other employees.

The Employee of the Month program was created to encourage recognition of HCDE employees who show exemplary individual achievement, contribution, and performance. All full-time and part-time employees are eligible to participate and may be designated only once during a school year. Nominations are submitted to the Employee of the Month Committee who selects a recipient based upon established criteria and the recipients receive a number of awards and recognition.

Employees may recognize each other for their outstanding work accomplishments at any time by issuing a Bravo Certificate directly to the employee for immediate feedback and show of appreciation.

HCDE recognizes employees who contributed to the organization during their career and have elected to

retire from HCDE and the Teacher Retirement System (TRS). Congratulations to those employees.

Also, current employees referring others to work at HCDE may receive tokens of appreciation for their employee referrals who join the organization. After working 60 days, the new employee may inform Human Resources of their successful referral thereby allowing the employee to receive recognition.

See the HCDE HUB for information regarding each of these employee recognition programs.

**PORTABLE TECHNOLOGY FINANCIAL RESPONSIBILITY AGREEMENT**

This agreement is entered into between Harris County Department of Education (HCDE) and you, an employee of HCDE, pursuant to Texas Education Code 31.104(e) You, the employee, hereby assume financial responsibility for usage of portable technology equipment (i.e. laptops, smart phones, tablets, portable printers) and/or other resources (collectively, "equipment") usage of HCDE property or outside of a HCDE sponsored event, in consideration for your ability to use the equipment for personal business. HCDE expects you to take care of equipment and to return it without damage.

You may have some financial responsibility for the equipment:

- If you do not return the equipment;
- If you return the equipment in a damaged condition;
- If you lose the equipment; or
- If your carelessness allows the equipment to be stolen.

In the event the equipment is not returned in good condition (allowing for reasonable wear and tear) or is lost, stolen or damaged beyond repair, the employee authorizes HCDE to deduct from his/her paycheck the agreed value (purchase price less depreciation) of each amount due or in such installment amounts as agreed by HCDE and the employee. (See agreement form.)

**FLOWER FUND PROCEDURES**

The Flower Fund is composed of money voluntarily contributed by HCDE employees for the purpose of providing flowers in cases of hospitalization and/or funerals. When the Flower Fund balance declines, employees will be offered the opportunity to contribute to the fund at the beginning of the school year.

To Request Flowers, a supervisor or supervisor's designee must contact the Benefits Specialist in Human Resources at 713-696-0780 (internal ext. 1780) or via e-mail giving detailed information such

as name, address, and room number of the hospital, or name, address and phone number of the funeral home, etc.

<b>HCDE FLOWER FUND</b>	
<b>HOSPITALIZATION</b>	<b>FUNERALS</b>
Flowers will be sent in the event of a hospital admission for an accident or illness that requires at least an overnight stay of an: <ul style="list-style-type: none"> <li>• Employee,</li> <li>• Employee's spouse, or</li> <li>• Employee's Child (under the age of 18)</li> </ul>	Flowers will be sent in the event of the death of an employee or an: <ul style="list-style-type: none"> <li>• Employee,</li> <li>• Employee's Spouse,</li> <li>• Employee's Child, or</li> <li>• Employee's Parent</li> </ul>

**NAME AND ADDRESS CHANGES**

It is important that employment records be kept up to date. Employees must notify the Human Resources division if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from the HCDE intranet, Human Resources, Forms.

**CODE OF CONDUCT**

HCDE employees must adhere to the Code of Conduct when conducting business on behalf of HCDE:

- Avoid accepting any monetary or non-monetary items including gifts valued at \$50 or more. This includes tickets to sporting events, use of facilities, equipment or other services that would normally cost under \$50 or more.
- Do not accept payment for public speaking engagements on company time.
- Do not use position at HCDE to gain benefit or with intent to harm or defraud another either intentionally or knowingly. This includes misuse of HCDE property and personnel for personal gain.
- Avoid hiring anyone that will report directly to you that is tied to you by blood (consanguinity) within the third degree or by marriage (affinity) within the second degree
- Limit or avoid situations that have the appearance of favoritism, special treatment, or privilege.
- Adhere to conflict of interest guidelines under EDGAR, provision 2 C.F.R. 200 rules and Chapter 176 of the Texas Local Government Code.

See Local Government Office Conflicts Disclosure Statement attached.

# WORKFORCE SOLUTIONS NOTICE FOR ADULT EDUCATION POSITIONS

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## **EQUAL OPPORTUNITY IS THE LAW**

It is against the law for this recipient of federal financial assistance to discriminate on the following bases: against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I—financially assisted program or activity. The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I— financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity. Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

If you wish to file a complaint, ask for the:

Harris County Department of Education

Adult Education Division- EO Officer

Bill Medina, EO Officer

6005 Westview Drive

Houston, Texas 77055

713-692-6216

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities.

Relay Texas: 711 or 800-735-2989 (TDD)

800-735-2988 (Voice)

# CODE OF ETHICS AND STANDARD PRACTICES FOR TEXAS EDUCATORS

## **DH (LOCAL 9/24/19)**

All employees shall perform their duties in accordance with state and federal law, Department policy, and ethical standards. The Department holds all employees accountable to the Educators' Code of Ethics. All employees shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the Department.

## **DH (EXHIBIT 12/10/20)**

The Texas Educator:

- shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and member of the community and shall safeguard academic freedom;
- in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character;
- in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession;
- 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; and
- in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community.

### **1. Professional Ethical Conduct, Practices, and Performance. The educator:**

- 1.1 shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the Department or educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process;
- 1.2 shall not intentionally, knowingly, or recklessly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage;

- 1.3 shall not submit fraudulent requests for reimbursement, expenses, or pay;
- 1.4 shall not use institutional or professional privileges for personal or partisan advantage;
- 1.5 shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or that are used to obtain special advantage. The 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.
- 1.6 shall not falsify records, or direct or coerce others to do so;
- 1.7 shall comply with state regulations, written local school board policies, and other applicable state and federal laws;
- 1.8 shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications;
- 1.9 shall not make threats of violence against Department employees, school board members, students, or parents of students;
- 1.10 shall be of good moral character and be worthy to instruct or supervise the youth of this state;
- 1.11 shall not intentionally, knowingly, or recklessly misrepresenting his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment;
- 1.12 shall refrain from the illegal use, abuse, or distribution of controlled substances, prescription drugs, and toxic inhalants; and
- 1.13 shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

### **2. Ethical Conduct toward Professional Colleagues. The educator:**

- 2.1 shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law;

- 2.2 shall not harm others by knowingly making false statements about a colleague or the school system;
- 2.3 shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel;
- 2.4 shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities;
- 2.5 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;
- 2.6 shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues;
- 2.7 shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter; and
- 2.8 shall not intentionally or knowingly subject a colleague to sexual harassment.

**3. Ethical Conduct toward Students. The educator:**

- 3.1 shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law;
- 3.2 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;
- 3.3 shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student;
- 3.4 shall not exclude a student from participation in a program, deny benefits to a student, or grant advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation;
- 3.5 shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor;
- 3.6 shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor;
- 3.7 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;

- 3.8 shall maintain appropriate professional educator/student relationships and boundaries based on a reasonably prudent educator standard;
- 3.9 shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, e-mail, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
  1. the nature, purpose, timing, and amount of the communication;
  2. the subject matter of the communication;
  3. whether the communication was made openly or the educator attempted to conceal the communication;
  4. whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
  5. whether the communication was sexually explicit; and
  6. whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

19 TAC 247.2

# EMPLOYEE COMPLAINT/GRIEVANCE PROCESS

The purpose of the employee grievance process is to provide an opportunity for employees of the Department to present a grievance to their supervisor, administrator, and/or the Board without fear of reprisal or harassment, for prompt and fair consideration. The grievance process is designed to be a positive process, which seeks to improve morale, discipline, and the functioning of the Department.

## **DGBA (LEGAL 10/21/13/LOCAL 10/10/17)**

The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

The terms “**complaint**” and “**grievance**” shall have the same meaning. This policy shall apply to all complaints except:

- complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability);
- complaints alleging certain forms of harassment, including harassment by a supervisor and violations of Title VII;
- complaints concerning retaliation relating to discrimination and harassment;
- complaints concerning instructional materials;
- complaints concerning a commissioned peace officer who is an employee of the Department;
- complaints arising from the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code; and
- complaints arising from the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term.

A grievance must specify the individual harm alleged. All time limits shall be strictly followed unless modified by mutual written consent. Costs of any grievance shall be paid by the party incurring them.

Complaints shall be submitted in writing on a form provided by the Department. Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have

copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

## **CONSOLIDATING COMPLAINTS**

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the Department may consolidate the complaints.

**Day** shall mean Department business days. The day a document is filed is “day zero”. The following business day is “day one”.

## **FORMAL PROCESS**

If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process by timely filing a written complaint.

**Level One** complaint forms must be filed within 15 business days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and with the lowest-level administrator who has the authority to remedy the alleged problem (may be the employee’s campus principal or immediate supervisor).

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within 10 days after receipt of the written complaint. Absent extenuating circumstances, the administrator shall provide the employee a written response within 10 days following the conference.

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

The appeal notice must be filed in writing, on a form provided by the Department, within 10 days of the date of the written Level One response, or, if no response was received, within 10 days of the Level One response deadline.

The Superintendent or designee shall schedule a conference within 10 days after the appeal notice is filed and provide the employee a written response within 10 days following the conference.

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

The appeal notice must be filed in writing, on a form provided by the Department, within 10 days of the date of the written Level Two response, or, if no response was received, within 10 days of the Level Two response deadline.

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

The Board shall consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting.

### **FREEDOM FROM RETALIATION**

Neither the Board nor any Department employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

# AMERICANS WITH DISABILITIES ACT

**(DAA LEGAL 12/10/20/LOCAL 4/21/17)**

## **DISABILITY**

The Department shall not discriminate against a qualified individual with a disability because of the individual's disability in regard to job application procedures; hiring, advancement or discharge; employee compensation; job training; and other terms, conditions, and privileges of employment. Discrimination includes not making reasonable accommodations to the known physical or mental limitation of an otherwise qualified individual with a disability, unless the Department can demonstrate that the accommodation would impose an undue hardship on the operation of the Department. 42 U.S.C. 12112(a); 29 C.F.R. Part 1630.4 (b); 29 U.S.C. 794; 34 C.F.R. 104.11; Labor Code 21.051

The Department shall not exclude or deny equal jobs or benefits to, or otherwise discriminate against, a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a family, business, social, or other relationship or association. 42 U.S.C. 12112(b)(4); 29 C.F.R. 1630.8; 34 C.F.R. 104.11

## **Definitions related to individuals with disabilities**

***“Disability”*** means:

1. an actual disability; a physical or mental impairment that substantially limits one or more of the individual's major life activities,
2. a record of having such an impairment, or
3. being regarded as having such an impairment. 42 U.S.C. 12102(2); 29 C.F.R. 1630.2(g)-(i); 28 C.F.R. 35.104; 34 C.F.R. 104.3(j),(l)

An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

***“Physical or Mental Impairment”*** means:

1. any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine; or
2. any mental or psychological disorder, such as an intellectual disability (formerly termed “mental retardation”), organic brain syndrome, emotional or mental illness, and specific learning disabilities.

29 C.F.R. 1630.2(h)

***“Major Life Activities”*** include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working.

***“Major life activities”*** also include the operation of major bodily functions, including functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within the body system. 42 U.S.C. 12102(2); 29 C.F.R. 1630(i); Labor Code 21.002.

***“Qualified Individual”*** means an individual who:

1. Satisfies the requisite skill, experience, education, and other job-related requirements of the employment position such individual holds or desires; and
2. With or without reasonable accommodation, can perform the essential functions of such position. Consideration shall be given to the Department's judgment as to what functions of a job are essential. A written job description prepared before advertising or interviewing applicants for the job is evidence of the job's essential functions. 42.U.S.C. 12111(8); 29 C.F.R. 1630.2(m)

***“Reasonable Accommodation”*** may include:

1. making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and
2. job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities. 42 U.S.C. 12111(9); 29 C.F.R. 1630.2(o); 34 C.F.R. 104.12(b)

***“Undue Hardship”*** means an action requiring significant difficulty or expense when considered in light of the nature and cost of the accommodation needed, overall financial resources of the affected facility and the Department, and other factors set out in law. 42 U.S.C. 12111(10); 29 C.F.R. 1630.2(p); 34 C.F.R. 104.12(c)

## **EXCEPTIONS TO DEFINITIONS RELATED TO INDIVIDUALS WITH DISABILITIES:**

### **DRUG AND ALCOHOL USE**

“Qualified individual with a disability” does not include any employee or applicant who is currently engaging in the illegal use of drugs, when the Department acts on the basis of such use. Nor does it include any individual who is an alcoholic whose current use of alcohol prevents the employee from performing the duties of the job in question or whose employment, by reason of such current alcohol abuse would constitute a direct threat to property or the safety of others.

42 U.S.C. 12114(a)(c)(d); 29 C.F.R. 1630.3(a); 28 C.F.R. 35.104; 29 U.S.C. 705(20)(C); Labor Code 21.002(6)(A)

### **DIRECT THREAT TO HEALTH OR SAFETY**

As a qualification standard, the Department may require that an individual not pose a direct threat to the health or safety of other individuals in the workplace. “Direct threat” means a significant risk to the health or safety of the individual or others that cannot be eliminated by reasonable accommodation.

42 U.S.C. 12111(3); 29 C.F.R. 1630.2(R); Labor Code 21.002(6)(B)

### **ADA/SECTION 504 COORDINATOR**

The Department designates the Assistant Superintendent for Academic Support Services to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, which incorporates and expands upon the requirement of Section 504 of the Rehabilitation Act of 1973. This Coordinator shall be responsible for investigation of Section 504 complaints on behalf of employees and citizens.

### **TITLE IX COORDINATOR**

The Department designates the Assistant Superintendent for Academic Support Services to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended. This Coordinator shall be responsible for investigation of Title IX complaints on behalf of employees and citizens.

Contact the Compliance Coordinator by phoning 713-694-6300 or addressing correspondence to 6300 Irvington Blvd, Houston, TX 77022.

### **USING COMMON SENSE AND COMMON COURTESY WHEN RELATING TO PERSONS WITH DISABILITIES**

The key to relating to persons with disabilities is common sense, common courtesy, and sensitivity. When in doubt about how to assist or interact, share your uncertainty or just ask (e.g. “I’m not sure about what to do here, would you like some help?”

or “Are you hearing me clearly”? or “Am I speaking too loudly?”).

### **SEVEN GENERAL RULES**

#### **1. Don’t confuse disability with illness**

Even if the disability may have resulted from a disease, a person with a disability is more often, than not, in excellent health.

Keep in mind that all disabling conditions vary greatly in severity. A person with cerebral palsy may have no observable difficulties or may be impaired in mobility, speech and/or cognition. One with clinical depression may be severely impaired while another may be able to carry out all daily activities. One with visual impairment may have clouded vision overall, visual field cuts or distance limitations.

#### **2. Don’t provide help without asking first**

Don’t grab onto a person’s arm, push a wheelchair, or grab a heavy object – this can be as obtrusive as having another person put an arm around your shoulder or take your package without asking. Offer help and don’t take offense if your offer is declined.

Watch the tone of your interactions. Don’t patronize, be overly enthusiastic, or ooze with sympathy.

#### **3. Don’t make assumptions about what a person with a disability can or cannot do**

Persons in wheelchairs participate in aerobic classes; persons with severe arthritis operate computers; people with amputation of parts of all four extremities drive cars; and/or a person who is blind may enjoy movies.

#### **4. Talk directly to the person even when an attendant or interpreter is present**

Avoid statements such as “and what will he be having for dinner?” or “here is her change”.

Offer your hand, maintain eye contact, place yourself at eye level, and give your full attention to the person with whom you are speaking.

#### **5. Do not use terms which have a negative connotation such as “afflicted with”, “victim of”, “confined to”, etc.**

Avoid outdated terms like handicapped or crippled. Emphasize the person rather than his or her disability by letting the descriptive phrase follow rather than lead when making references to persons with disabilities. Examples include: “friend who has quadriplegia”, or “woman with arthritis”, rather than “quadriplegic friend” or “arthritic woman”.

**6. Provide orientation and information as necessary regarding where things are, when things are going to happen and whether things are going to change.**

For example, in helping a person with quadriplegia, adjust the seating posture by saying, "Okay, I'll be lifting on the count of three" or when walking with a person who is blind, inform her, "We're coming to a flight of stairs, the railing is on your right".

**7. Include or offer inclusion in activities, meetings, and work-related events.**

# HARASSMENT AND SEXUAL HARASSMENT

Harris County Department of Education (HCDE) views issues surrounding sexual harassment and/or other forms of harassment seriously. HCDE is firmly committed to a work environment free from all forms of harassment of any employee or applicant for employment by anyone, including supervisors, co-workers, clients/customers, or visitors. Such harassment violates the Department policy and state and federal discrimination laws. It is neither permitted nor condoned.

## **DIA (Legal 10/13/23/ Local 1/11/21)**

### **WHAT IS SEXUAL HARASSMENT?**

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment; or when
2. Submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
3. Such conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, threatening, hostile, or offensive working environment.

### **Examples of sexual harassment may include:**

- sexual advances;
- touching intimate body parts;
- coercing or forcing a sexual act on another;
- jokes or conversations of a sexual nature; and
- other sexually motivated conduct, communication, or contact.

### **Key elements to sexual harassment –**

- include unwelcome sexual advances or requests for favors;
- include verbal, non-verbal, graphic, or physical advances;
- are repeated in nature;
- include when submission is a condition of employment;
- need not be directed to you personally; and/or

- include when inappropriate conduct interferes with work performance or creates a hostile environment.

The Department shall exercise reasonable care to prevent and correct promptly any sexually harassing behavior and develop preventive or corrective measures to address sexually harassing behavior.

Employees are encouraged to come forward with complaints and are strongly urged to contact their immediate supervisor or the Title IX, ADA/Section 504 Coordinator. Department officials or their agents shall investigate promptly all allegations, and officials shall take prompt and appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment.

### **WHAT IS HARASSMENT?**

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

1. has the purpose or effect of unreasonably interfering with the employee's work performance;
2. creates an intimidating, threatening, hostile, or offensive work environment; or
3. otherwise adversely affects the employee's performance, environment or employment opportunities.

### **Examples of prohibited harassment may include:**

- offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation;
- threatening or intimidating conduct;
- offensive jokes, name calling, slurs, or rumors;
- physical aggression or assault;
- display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or
- other types of aggressive conduct such as theft or damage to property.

### **REPORTING PROCEDURES**

An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct shall immediately report the alleged acts. The employee may report the alleged acts to his or her

supervisor or campus principal.

Alternatively, the employee may report the alleged acts to one of the Department officials including the Title IX Coordinator, the ADA/Section 504 Coordinator, ADEA Coordinator, and the Superintendent.

The Harris County Department of Education Title IX Coordinator and ADA/Section 504 Coordinator is Jonathan Parker, Assistant Superintendent for Academic Services, located at 6300 Irvington Blvd, Houston, TX 77022; 713-694-6300. The Coordinator shall be responsible for investigating Title IX and Section 504 complaints on behalf of employees and citizens.

The Harris County Department of Education Age Discrimination in Employment Act (ADEA) Coordinator is Dr. Tyrone Sylvester, Executive Director of Human Resources, located at 6300 Irvington Blvd, Houston, TX 77022; 713-694-6300. The Coordinator shall investigate any complaints alleging any actions that are prohibited by the ADEA.

For additional information related to the Department's policy against harassment, refer to the HCDE board policies.

# RESPONSIBILITY TO REPORT CHILD ABUSE AND/OR NEGLECT

## **FFG (LEGAL 10/13/23 LOCAL 4/29/22)**

Any person who has reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a legal responsibility, under state law, to immediately report the suspected abuse or neglect to an appropriate authority. As defined in state law, child abuse and neglect include both sexual and labor trafficking of a child.

## **TO WHOM REPORTED**

The report should be made to:

1. any local or state law enforcement agency;
2. the Texas Department of Family and Protective Services (DFPS), Child Protective Services (CPS) division;
3. a local office of CPS, where available [DFPS has a toll-free, 24-hour Family Violence Hotline 1-800-252-5400; you may also make a report using the secure website at [www.txabusehotline.org](http://www.txabusehotline.org)];
4. the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred.

## **YOUR LEGAL OBLIGATION**

Current law requires that anyone, including a professional (such as teachers, nurses, and daycare employees) make a verbal or written report within 48 hours. A person commits a Class A misdemeanor if required to make a report under Family Code 261.101(a)(b) and knowingly fails to make a report as provided by law. A professional commits a state jail felony if they intended to conceal the abuse or neglect.

Reporting suspected child abuse to a school counselor, a principal, or to another school staff member will NOT satisfy your obligation under this law. Local school district policy cannot conflict with or supersede the state law requiring you to report child abuse to a law enforcement agency or DFPS. See FFG (Local) and DG (Legal) for additional requirements for reporting child abuse and neglect.

## **YOUR LEGAL PROTECTION**

Your report of child abuse or neglect is confidential and immune from civil or criminal liability as long as the report is made in good faith and without malice. Provided two conditions are met, you will also be immune from liability if you are asked to participate

in any judicial proceedings that might result from your report.

**Good faith** means that the person making the report took reasonable steps to learn facts that were readily available and at hand. **Without malice** means that the person did not intend to injure or violate the rights of another person.

## **RESPONSIBILITIES REGARDING INVESTIGATIONS OF ABUSE OR NEGLECT**

State law specifically prohibits school officials from:

- denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect; or
- requiring that a parent or school employee be present during the interview; or
- coercing someone into suppressing or failing to report child abuse or neglect.

School personnel must cooperate fully and without parental consent, if necessary, and may not interfere with an investigation of reported child abuse or neglect.

## **PROTECTION FOR REPORTED CHILD ABUSE (DG LEGAL 6/13/22)**

A board or its agents may not suspend or terminate the employment of, or otherwise discriminate against, or take adverse employment action against, a professional employee who in good faith:

1. Reports child abuse or neglect to:
  - a. the person's supervisor;
  - b. an administrator of the facility where the person is employed;
  - c. a state regulatory agency; or
  - d. a law enforcement agency; or
2. Initiates or cooperates with an investigation or proceeding by a governmental entity relating to an allegation of child abuse or neglect.

**If you have reason to believe that a child is abused – DO NOT** try to investigate the matter yourself.

**DO NOT** confront the abuser.

**DO** report your reasonable suspicions.

It is not up to you to determine whether your suspicions are true or not. A trained investigator will evaluate the child's situation. Even if your report does not bring decisive action, it may help establish a pattern that will eventually be clear enough to help the child.

The following indications by themselves do not necessarily indicate abuse or neglect. You might talk to the child a little to see if there is a simple or innocent explanation for what you have observed.

**Suspect physical abuse when you see:**

- frequent injuries such as bruises, cuts, black eyes or burns, especially when the child cannot adequately explain their causes;
- burns or bruises in an unusual pattern that may indicate the use of an instrument or a human bite; cigarette burns on any part of the body;
- frequent complaints of pain without obvious injury;
- aggressive, disruptive, and destructive behavior;
- lack of reaction to pain;
- passive, withdrawn, emotionless behavior;
- fear of going home or seeing parents;
- injuries that appear after the child has not been seen for several days; or
- unseasonable clothes hiding injuries to arms or legs.

**Suspect sexual abuse when you see:**

- physical signs of sexually-transmitted diseases;
- evidence of injury to the genital area;
- difficulty in sitting or walking;
- frequent expressions of sexual activity between adults and children;
- pregnancy in a young girl;
- extreme fear of being alone with adults especially if of a particular gender;
- sexually suggestive, age inappropriate or promiscuous behavior;
- knowledge about sexual relations beyond what is appropriate for the child's age;
- sexual victimization of other children; or
- complaints of painful urination.

**Suspect neglect when you see:**

- obvious malnourishment;
- lack of cleanliness, torn and/or dirty clothes;
- obvious fatigue and listlessness;
- a child unattended for long periods of time;
- need for glasses, dental care, or other medical attention;
- stealing food or begging for food; or
- frequent absence or tardiness from school.

**A DISCLOSURE**

If you are the first person the child tells about sexual abuse, your testimony as an "outcry witness" may be especially important in future legal proceedings.

What you say the child told you is not considered hearsay but is admissible evidence in a trial involving a sexual offense against a child. This exception applies only to the first person the child approaches.

# FREEDOM FROM BULLYING

## **FFI (Local 8/21/18)**

All employees are required to report student complaints of bullying to the Principal or Senior Director of Special Schools. The Department's policy includes definitions and procedures regarding discrimination and harassment involving Department students. (See FFH). Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

## **BULLYING PROHIBITED**

The Department prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of Department policy and is prohibited.

## **DEFINITION**

**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 Department and that:

- 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
- is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considering bullying if it:

- exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
- interferes with a student's education or substantially disrupts the operation of a school.

## **EXAMPLES OF BULLYING**

Bullying of a student may include:

Hazing	Theft of valued possessions
Assault	Confinement
Destruction of property	Taunting
Rumor spreading	Demands on money
Threats	Name calling
Teasing	Ostracism

## **RETALIATION**

The Department prohibits retaliation by a student or Department employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

## **EXAMPLES OF RETALIATION**

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 Department investigation regarding bullying shall be subject to appropriate disciplinary action.
- **Timely Reporting:** Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the Department'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 Department employee.

### • **Employee report**

Any Department 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 central office designee shall reduce any oral reports to written form.

## **NOTICE OF REPORT**

When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third (3rd) business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.

## **PROHIBITED CONDUCT**

The principal or central office 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 Department 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 central office designee shall conduct an appropriate investigation based on the allegations in the report. The principal or central office 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 (10) Department business days from the date of the initial report alleging bullying; however, the principal or central office designee shall take additional time if necessary, to complete a thorough investigation.

The principal or central office 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 Senior Director of Schools, Assistant Superintendent for Student Services, and the Superintendent or designee by the most expeditious means.

## **NOTICE TO PARENTS**

If an incident of bullying is confirmed, the principal or central office designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

## **DEPARTMENT ACTION IN RESPONSE TO BULLYING**

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

## **DISCIPLINE**

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.

## **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 of 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 Department's policy against bullying.

## **TRANSFERS**

The principal or central office designee shall refer to FDB for transfer provisions.

## **COUNSELING**

The principal or central office 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 Department may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

## **CONFIDENTIALITY**

To the greatest extent possible, the Department shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosure 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 Department's Web site, to the extent practicable, and shall be readily available at each campus and the Department's administrative offices.

# SAFETY IN THE WORKPLACE - WORKERS' COMPENSATION

HCDE is committed to protecting the safety and well-being of our staff and students, and we vigorously support programs to prevent injuries and promote health. It is imperative that all staff take personal responsibility for their own safety and follow Department safety rules. It is equally important that we all assume responsibility for one another by pointing out potential hazards when we see them and notifying colleagues who aren't following safety guidelines, no matter how minor. Each of us plays a critical role in maintaining safety.

This section of the Employee Handbook provides valuable information to help employees integrate safety into their daily work processes. Employees are expected to follow the protocols and guidelines detailed here. Depending on the potential hazards associated with the employee's job, the employee might need additional training. Please ask your supervisor whether your position requires additional training, and let your supervisor know if you have questions about the information in this handbook.

## **PREVENTING ACCIDENTS AND MANAGING WORKPLACE HAZARDS**

Whenever possible, safety hazards should be eliminated from the workplace. Hazards may include, but are not limited to, biological, chemical, environmental, physical and radiological hazards. When hazards cannot be eliminated, they must be mitigated with special training, equipment and procedures, including standard operating procedures, job safety analyses, safety controls and personal protective equipment. The employee's supervisor should review the employee's job description and determine if safety controls and PPE are required. Items such as eye and face protection, and hearing protection will be provided by the employee's division if needed.

## **SLIP, TRIPS, AND FALLS**

Slips, trips, and falls are the most frequent injuries. Falls can result in head injuries, back injuries, broken bones, muscle sprains and strains, and death. Many of these accidents occur outside buildings on stairs and walkways. Others occur indoors and are often the result of unsecured wires and cords, spills, or loose flooring.

The following are simple ways to reduce your risk of a slip, trip or fall incident:

- **Practice good housekeeping**  
Keep work areas clean and free of spills or debris. Immediately clean or report spills and debris problems.
- **Be a cautious carrier**  
Don't carry loads that obstruct your view while walking. Make sure the path is clear.
- **Wear proper footwear**  
Use footwear that is appropriate for your work tasks and environmental demands.

## **WORKERS' COMPENSATION (CRE LEGAL 10/13/23 DEC LEGAL 10/13/23/LOCAL 4/29/22)**

The Department, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job.

All work-related illnesses or injuries must be reported immediately to the direct supervisor and to the Risk Management Specialist at 713.696.2111 (cell 346.324.1027)

Two forms are required:

- Employee First Report of Illness or Injury form
- Employee Acknowledgment of the Alliance Direct Contracting Program

(TASB's acknowledgment of workers' compensation medical network)

Should the employee fail to indicate on the form a choice to receive paid leave (including assault leave), the Department shall elect for the employee the option to receive workers' compensation wage benefits only. Employees must obtain medical information including date and time of visit, detailed restrictions, and the employee's ability to return to work. Employees who are unable to work because of a work-related illness or injury will be notified of their rights under the Texas Labor Code. See Workers' Compensation procedures for additional information located on the HCDE intranet, under workers' compensation. (Forms attached)

# SAFETY IN THE WORKPLACE - GENERAL PRECAUTIONS

## FIRE SAFETY

Fire safety is everyone’s responsibility. You can help prevent fires by using good housekeeping practices. These practices include:

- Keeping walkways and exists clear.
- Keeping fire doors closed when not in use (never prop them open).
- Storing supplies and equipment in appropriate locations.
- Using microwaves and toaster ovens in authorized locations only.
- Eliminating the use of unauthorized personal appliances, such as hot plates, microwaves, refrigerators or space heaters.

Knowing how to respond to a fire can save your life and the lives of others. All employees should know the location of safety equipment, such as fire extinguishers and fire alarm pull stations. It is also helpful to know about the different types of fire extinguishers and how to operate them.

Employees are not required to fight fires, but may extinguish small fires (e.g. a trash can fire) with a fire extinguisher if they are properly trained and feel comfortable.

### **All fires, regardless of size, must be reported immediately by calling 911**

You must also call the Facilities division at 713-694-6300 or ext. 6300 anytime a fire extinguisher is used or discharged.

### **If your clothing catches on fire, protect your face and stop, drop, and roll**

If using a fire extinguisher, be careful not to shoot directly into someone’s face. Immediately seek medical treatment and report the incident to a supervisor and the Human Resources manager.

<b>FIRE SAFETY DOS AND DON'TS</b>	
<b>DO</b>	
	Report ALL fires immediately by calling 911.
	Alert personnel in the immediate area.
	Attempt to extinguish small fires if you are trained to do so.
	If the fire is large or spreading, activate the fire alarm and alert building occupants.
	If your clothing catches on fire, protect your face and stop, drop and roll.
	Evacuate the buildings by using the stairwells.

Test doors for heat with the back of your hand before entering any room. If smoke is present, crawl on your hands and knees to keep your head low and out of smoke.
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After evacuation, wait for emergency response personnel and inform them of the fire location and other details.
---

<b>DON'T</b>
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Don't assume someone else will report the fire.
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Don't arbitrarily break windows. Falling glass is a serious threat to pedestrians and rescue personnel below.
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Don't exit until you have felt the top of the exit door. If the door is hot or if excessive smoke prevents your exit, keep the door closed.
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Never use elevators to exit during a fire even if it appears safe to do so.
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Don't go back for personal belongings.
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Don't re-enter the building until you are told to do so by emergency response personnel.
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## EMERGENCY OPERATIONS GUIDE

Every division of Harris County Department of Education (HCDE) will receive a board approved emergency operations guide. This guide contains the response protocols for dealing with potential hazards and emergency events that may interrupt the normal day to day operations of the Department, school, or location where you work. Divisions are expected to review this document with staff and become familiar with the information contained in these guides. These user-friendly guides are designed to allow employees to find the instructions for responding to emergencies promptly and with minimum effort. The guides should be kept in a convenient location that is easily accessible at all times.

## IDENTIFICATION BADGES

Employees will be photographed at the time of employment and an ID badge will be prepared for the employee’s use at no cost to the employee. Each employee must wear his/her ID badge at all times while on Department property when conducting Department business. The badge must be clearly visible, except in cases where the type of work does not permit the display.

If the identification badge is lost or destroyed, the employee will contact Human Resources at 713-696 - 1323 immediately to get a replacement. There will be a \$10.00 replacement fee for all lost badges. Upon written authorization, payment will be deducted from the employee’s next paycheck. An ID badge will be replaced at no cost to the employee if the badge is mutilated/damaged; however the employee is required

to present the damaged badge at the time of request for a new badge.

See Procedure

### **EMPLOYEE PHOTOGRAPHS**

Harris County Department of Education occasionally uses photos of employees in publications as well as across its digital media channels. These photos typically depict staff performing their duties, attending organization meetings and activities, representing HCDE at external events or receiving recognition/accolades from their supervisor or the Board of Trustees. Employees who do not wish to have their photos published for promotional purposes can opt out by submitting a request in writing to the Executive Director of Human Resources by September 1 each year. New employees can opt out by submitting the request in writing to the Executive Director of Human Resources no more than 30 days after their hire date.

### **REPORTING WORKPLACE VIOLENCE**

Employees can report instances of workplace violence or suspicious activity by contacting the Department of Public Safety (DPS) through the iWatchTexas Community Reporting System at [www.iwatchtexas.org](http://www.iwatchtexas.org), or by calling 844-643-2251. Employees have the right to make a report to DPS anonymously.

# SAFETY IN THE WORKPLACE - UNIVERSAL PRECAUTIONS

Being sick costs a lot of time from work; maybe lost pay, the expense and inconvenience of going to doctors and treatments, and generally feeling bad. Since there are some steps you can take to prevent getting sick in the first place, scientists at the Centers for Disease Control (CDC) have identified some simple things you can do to prevent getting infectious diseases.

## WHAT ARE INFECTIOUS DISEASES?

Infectious diseases are caused by various types of microscopic germs such as viruses, bacteria, parasites, or fungi. These germs cause illnesses that range from common ailments like a cold and the flu, to disabling conditions such as polio, to deadly diseases like AIDS. The bad news is that some of these diseases can be quite serious. The good news is that many of those diseases can be prevented through simple and inexpensive methods. Many of these methods are not new. And many were taught to us by our parents. But we get in a hurry and get out of the habit of practicing simple preventative steps.

## WHAT HAPPENS IF YOU DO NOT WASH YOUR HANDS FREQUENTLY?

You pick up germs from other sources and then you infect yourself when you touch your eyes, or your nose, or your mouth. One of the most common ways people catch colds is by rubbing their noses or their eyes after their hands have been contaminated with the cold virus. You can also spread germs directly to other or onto surfaces that other people touch. And before you know it, everybody around you is getting sick. The important thing to remember is that, in addition to colds, some pretty serious diseases like Hepatitis A, Meningitis, or infectious diarrhea can easily be prevented if people make a habit of washing their hands.

## WHEN SHOULD YOU WASH YOUR HANDS?

Wash your hands often since you can't see germs with the naked eye or smell them and you don't really know where they're hiding. It is estimated that 1 out of 3 people do not wash their hands after using the restroom. It is especially important to wash your hands:

- before, during, and after you prepare food;
- before you eat, and after you use the bathroom;
- after handling animals or animal waste;
- when your hands are dirty; and/or
- when someone in our home is sick.

## **The CORRECT way to wash your hands:**

- Wet your hands and apply liquid soap (preferred) or use a clean bar soap.
- Place bar soap on a rack so it will drain.
- Rub hands vigorously together and scrub all surfaces for 20 seconds or about the length of time it takes to sing **Happy Birthday** twice. (The soap and scrubbing action dislodge and remove germs.)
- Rinse well and dry your hands (paper towels preferred).
- Turn water off with a paper towel.
- When finished, use the paper towel to open the restroom door. Throw away as soon as you can. Antiseptic hand cleaners should be used when soap or water is not available.

The Texas Department of State Health Services (TDSHS) requires that the following **14 points of information** be presented to employees annually. Additional information and demonstrations of proper techniques may be necessary for employees who perform first aid, custodial tasks, diapering, and/or life skills instructions.

Points one through four (1-4) are presented to all new employees during orientation.

1. **Chapter 96 and Bloodborne Pathogen Control**  
The Texas Department of State Health Services (TDSHS) passed a law (2001) requiring governmental agencies to adopt OSHA (Occupational Safety and Health Administration) standards on bloodborne pathogens.
2. **The OSHA Bloodborne Pathogen Final Rule**  
The Rule requires private agencies to provide information on bloodborne pathogen prevention and Hepatitis B vaccine to some employees.
3. **Types and symptoms of bloodborne diseases**  
These pathogens include, but are not limited to, Human Immunodeficiency Virus (HIV) and the viruses for Hepatitis B and C. Symptoms are vague and flu-like, so people may not know they have the virus.
4. **How bloodborne pathogens spread**  
They are spread mainly through infected blood. Universal precautions protect others and ourselves from blood and body fluids that might have germs that can cause serious disease or death. Treat all blood as infected since we do not know who carries deadly viruses and who does not.

The remaining points are addressed here briefly. Questions or concerns should be sent by e-mail, phone or fax to your school nurse or to Human Resources.

#### **5. The HCDE Exposure Control Plan**

The following contains the major points of the HCDE Exposure Control Plan:

- Providing information to employees at orientation
- Identifying job categories that will be offered vaccines
- Providing vaccinations to personnel potentially at risk
- Documenting injuries and providing medical attention
- Employing lines of responsibility
- Ensuring that everyone protects themselves from blood and other potentially infectious materials (OPIMs).

Additionally,

- Supervisors are responsible for gloves being available and for employees and students following the recommended procedures.
- Human resources investigates every blood exposure.
- The Executive Director of Human Resources makes certain every employee has information about protection; keeps sign-in sheets; files confidential reports; keeps a record of employees who are vaccinated; and sends a TDSHS Contaminated Sharps Injury Form to the Harris County Public Health and Environmental Services (HCPHES).
- New employees will receive written material and information at orientation. All employees receive an update annually. Vaccines are offered to designated employees.
- Every director has a copy of the plan and copies are located in every building and on the HCDE intranet.

#### **6. Procedures which might cause an employee's exposure to blood or OPIM include:**

- providing first aid
- coming in contact with body fluids containing blood
- providing injections or blood testing (i.e. blood sugar monitoring)
- cleaning where blood is involved
- sorting laundry if blood is present

#### **7. Control methods that are to be used to control exposure to blood or OPIM include:**

- hand washing
- using non-water hand cleaners
- wearing gloves
- following proper cleaning procedures

#### **8. Available personal protection equipment and how to use it (see #7)**

#### **9. Hepatitis B vaccine protection for specific positions considered at risk**

(The Hepatitis B vaccine is a three-dose series. An employee who is offered the vaccine is free to refuse it; however, a waiver form must be signed. An employee may change his/her mind at any time and can be vaccinated upon request. The identified employees are notified at orientation.)

#### **10. Procedures to follow in an emergency involving blood or OPIM**

Ask the person who is bleeding to apply pressure on his/her wound while the caregiver puts on gloves. Be sure the individual receives emergency attention if needed. Trained individuals will handle cleaning.

#### **11. Procedures to follow should an exposure occur**

First, care for the injury. It is a Workers' Compensation issue when an employee sustains bloodborne exposure at work; therefore the incident is reported to Human Resources. The injured employee should report the exposure to his/her immediate supervisor. An employee has the right to refuse to go for treatment or refuse treatment that a physician may recommend. (An **exposure incident** is specific contact with blood or body fluids containing blood with non-intact skin or through a needle stick resulting from an employee doing his/her job.)

#### **12. Post exposure evaluation and follow up procedure**

HCDE will provide a medical evaluation to any employee who comes in contact with blood or OPIM. All records related to this policy will be maintained in a confidential manner.

#### **13. Use of signs and labels**

The Texas Department of State Health Services has designated schools as "home health facilities" which means we are not required to use red boxes or bags. Bloody trash can be thrown in regular trash (put objects into a plastic bag, tie it closed, and then place the contents into another plastic bag) for routine pickup.

#### **14. Opportunity to ask questions regarding this information and/or in the future**

If there is a school nurse available, please ask him/her. If not, contact Human Resources. By increasing your understanding of universal precautions and bloodborne pathogens, we will all help reduce their spread. The greatest risks are personal behaviors, not job related.

#### **HIV – HUMAN IMMUNODEFICIENCY VIRUS**

There is no cure for HIV. This virus settles in other parts of the body to multiply. HIV can spread by:

- intravenous drug use
- sexual intercourse (anal or vaginal, and also through oral sexual contact)
- passage from an infected mother to her baby at birth or through breast milk
- entering a person's body by way of a needle stick (needle into blood vessel, tattooing, and body piercing)
- contaminated blood splattered into the eyes or mouth, or non-intact (cut/cracked) skin
- blood transfusion with infected blood

#### **HEPATITIS A, B, C, D, AND E**

There are several types of hepatitis. **Hepatitis** means infection of the liver. It can be caused by drugs, toxic substances, or viruses. The viruses are lettered A, B, C, D, and E. (See the hepatitis chart on the next pages for more information on each hepatitis type.) Some types, such as **hepatitis A and E**, can make a person ill but recovery is usually complete. Their mode of transmission is through the mouth from contaminated raw seafood or food prepared by an infected person who does not wash his/her hands after using the restroom.

Hepatitis B, C, and D, on the other hand, are more serious because they can permanently damage the liver and sometimes make the infected person a chronic carrier. A carrier can spread the infection because the virus lives and multiplies in the blood. With **hepatitis B**, 20% of the individuals develop liver cancer and die within a few years. **Hepatitis D** is only found with hepatitis B, not alone.

With **hepatitis C**, an individual may have the virus and not show signs of illness for 20 years. During that period of time, the virus is damaging the liver and the person can spread it through blood. Hepatitis C is the number one cause for the need for liver transplants in the United States.

# HEPATITIS FACTS

## HEPATITIS IS A VIRAL DISEASE OF THE LIVER

<b>HAV</b>	<b>Hepatitis A</b> does not cause chronic, long term infection; full recover is usual. Once you've had it, you will never get it again.
<b>HBV</b>	<b>Hepatitis B</b> can cause cancer, cirrhosis, and even death. It causes chronic infection in 5-10% of infected adults. It can live in dried blood on a surface for up to 7 days. There is no cure.
<b>HCV</b>	<b>Hepatitis C</b> can cause permanent liver damage; sometimes liver cancer. Of those infected, 80% may be unable to clear the virus from their bodies and become HCV carriers and are able to pass it to others.
<b>HDV</b>	<b>Hepatitis D</b> causes inflammation of the liver; cannot sustain an infection without the help of HBV.
<b>HEV</b>	<b>Hepatitis E</b> causes inflammation of the liver.

## HOW IS HEPATITIS SPREAD? WHO IS AT RISK?

<b>HAV</b>	<b>HEV</b>	<b>HDV</b>	<b>HBV</b>	<b>HCV</b>
Spread by feces (stool)-to mouth Contact from:		Spread by: -sharing razors and toothbrushes -IV drug users		
-unwashed hands -anal-oral sex -uncooked food (including shellfish) Commonly spread in: -families -child care or other institutions with diapered persons -jails -shelters -in places lacking sanitation  People can pass the virus in their stools from about 2 weeks before and up to 1 week after they show signs of the illness	-ingesting contaminated water  Commonly occurs in large outbreaks and it accounts for more than half of acute sporadic hepatitis in both children and adults in some high endemic areas.  Risk factors among persons with sporadic cases of HEV have not been defined.	-sexual contact -homosexual/ bisexual men -hemodialysis patients -hemophiliacs Found in body fluids  Persons having an acute or chronic infection with HBV are at risk of HDV.	-sexual contact -homosexual/ bisexual men -mother to newborn -contaminated tattoo/ body piercing tools  Found in body fluids	-direct contact with infected blood: -mother to newborn -contaminated tattoo/ body piercing tools -blood transfusions before 1992 -hemodialysis patients -hemophiliacs treated with a blood product made prior to 1987 -workers exposed to blood/body fluids
Is NOT spread: - through coughing, sneezing or casual - contact		Is NOT spread through food or water, casual contact nor sweat, tears, or urine		

## SIGNS AND SYMPTOMS

<b>HAV and HBV</b>	<b>HDV and HEV</b>	<b>HCV</b>
Some have: -no symptoms -jaundice - dark urine -light-colored stools		
-fatigue -flu-like illness - vomiting -mild fever - nausea -stomach pain -loss of appetite	-fatigue -flu-like illness -mild fever	-flu-like illness (about 1-3 months after infection) -fatigue -nausea -vomiting – stomach pain  Symptoms can appear as long as 20 years later. Most have no symptoms.

PREVENTION				
HAV	HBV	HCV	HDV	HEV
<p>Wash hands: -after toilet use and/or changing a diaper -before touching food or drink</p> <p>Infected individuals should not prepare or serve food to others.</p> <p>Individuals living with or having close contact with an infected individual should have an Immune Globulin (IG) shot.</p>	<p>-practice safe sex -never share needles (drugs/ tattoos)</p> <p>Get blood tested if: -pregnant -live, have sex, or share needles with an infected individual</p>	<p>-use disposable gloves if you give first aid or handle blood/ body fluids -cover cuts and skin sores with a bandage -never share needles (drugs/ tattoos) -do not donate blood, organs, or tissue</p>	<p>-practice safe sex -cover cuts and skin sores with a bandage</p> <p><b>HDV is not highly prevalent in the U.S.</b></p>	<p>-exercise caution when traveling to foreign countries -avoid beverages or ice of unknown purity -avoid eating uncooked shellfish -do not eat peeled fruit or vegetables or those you have not prepared.</p> <p><b>HEV is rare in the U.S.</b></p>
<p><b>Vaccination consists of 2 doses if you're older than age 2 and offers protection for life.</b></p> <p>Vaccinate if you: -have chronic liver disease -have HBV or HCV -use illegal drugs -are a male who has sex with other males -travel to or live in a country with a lot of HAV cases</p>	<p><b>Vaccination consists of 3 doses to anyone, starting at birth and offers protection for life.</b></p> <p>Vaccinate if you: -ever received hemodialysis -have more than one sex partner -use illegal drugs or have sex with a partner who uses illegal drugs -live with or have sex with person infected -work with exposure to blood -are a male who has sex with other males</p>		<p><b>Vaccination for HBV</b> is the primary form of prevention since HDV is dependent on HBV for replication.</p>	

TREATMENT				
HAV	HBV	HCV	HDV	HEV
-don't drink alcohol - don't use illegal drugs				
- consult a doctor - get plenty rest - drink plenty fluids - eat low-fat foods		- avoid combing drugs; check with doctor about any medications you are taking		none available
Antibiotics are not used to treat HAV or HBV		- avoid household chemicals and cleaners		
No medications available to treat HAV	Antiviral therapy may help HBV exposure. If exposed, request HBV Immune Globulin (HBIG).	Antiviral drugs (Interferon) or combination with Ribavirin, are effective in 30-50% of cases.  If exposed, have blood tested immediately then again after 6 months	Interferon therapy has varying success.	

Source: Texas Department of State Health Services (copyright free) 5/05 ([www.dshs.state.tx.us/idcu](http://www.dshs.state.tx.us/idcu))

# SAFETY IN THE WORKPLACE - BACK SAFETY

## BACK BASICS

Your back is made up of moveable bones called vertebrae and shock absorbers between each vertebrae called **discs**. These structures are supported by ligaments and muscles that help keep the back aligned in three balanced curves. You know your back is aligned correctly when your ears, shoulders, and hips are in a straight line. When your back's three curves are not in balance, there is a greater likelihood of both back pain and injury.

## LIFTING MECHANICS

When you lift, it is important to keep your back in balance. If you bend at your waist and extend your upper body to lift an object, you upset your back's alignment and the center of balance in your abdominal cavity. You force your spine to support the weight of the object you're lifting. This situation is called **overload**. You can avoid overloading your back by using good lifting techniques.

Example: When you **bend at the knees and hug the object close to you as you lift**, keep your back in alignment and let the stronger muscles in your thighs do the actual lifting. You should not have to extend your upper body to maintain your center of balance.

## LIFTING - RULES TO LIVE BY

- Avoid bending from the waist only; bend at the hips and knees.
- Avoid lifting heavy objects higher than your waist.
- Always turn and face the object you wish to lift and turn by pivoting your feet first.
- Avoid carrying unbalanced loads.
- Hold heavy objects close to your body.
- Never carry or move anything that you cannot handle with ease. (If you cannot move the object on the floor with your foot without great effort, then it is probably too heavy.)
- Avoid sudden movements; learn to move more deliberately.
- Never bend over without bending knees and tucking buttocks under.
- Keep back rounded as you return to standing from a squat.
- Change positions frequently.

## BODY MECHANICS

### (WHEN LIFTING AND/OR MOVING HEAVY OBJECTS)

Move or slide the object on a surface (which is easier than lifting) because gravity does not offer as much resistance. The less friction between the object moved and the surface on which it is moved, the less energy or force is required to move it. Moving an object on a level surface is easier than on an incline; gravity, again, offers more resistance. Moving an object by rolling, turning, or pivoting requires less effort than lifting the object. Use of mechanical devices conserves energy and manpower, and reduces the possibility of injury. Efficient use of the body when moving and lifting heavy objects or materials conserves energy and helps to prevent strain.

When lifting, moving, or carrying heavy objects, the most desirable use of the body from the physiologic point of view, is one in which:

- a. the expenditure of energy is kept at a minimum;
- b. the trunk and head are in good alignment and are moved as one unit;
- c. rotation of the spine is avoided;
- d. the arms are used in a manner that does not restrict the chest for too long;
- e. the legs are in a position which permits them to supply most of the force required for shifting positions of the trunk; and
- f. the movements of the entire body are synchronized so that the load is distributed over a large number of muscles. (Source: University of Oklahoma School of Physical Therapy)

# SAFETY IN THE WORKPLACE – DRIVING SAFETY

The safety and well-being of our employees is of critical importance to the Department. We each have a responsibility to not only protect ourselves when on the road but also should do our part to protect those around us. Drivers must adhere to all state and federal driving laws and regulations. Employees that are required to drive on Department business at any time will be expected to consistently comply with the safe driving requirements listed below.

## **DRIVING RESPONSIBILITIES**

- You must be at least 18 years of age and maintain a valid Texas driver's license.
- You must carry your valid Texas driver's license with you when you drive a Department-owned or leased vehicle or rent a vehicle used for Department business.
- You must wear a seat belt when driving or riding in a motorized vehicle.
- You must comply with all driving laws and safety rules such as adherence to posted speed limits and directional signs, use of turn signals and avoidance of confrontational or offensive behavior while driving.
- If you are involved in an accident involving a Department owned or leased vehicle you must notify your supervisor and Executive Director of Human Resources immediately.
- You must pay any traffic/parking citations incurred on or off Department property when using a Department owned or leased vehicle or rental car for Department business.
- You must notify your supervisor and Executive Director of Human Resources immediately if you receive a traffic/parking citation incurred on or off Department property when using a Department owned or leased vehicle or rental car for Department business.

The following safe driving techniques provide guidelines to assist motorists in avoiding aggressive driving behaviors and help prevent road rage in other drivers.

## **PREPARATION**

- Lock the car doors immediately after entering the vehicle.
- Keep all windows closed.
- Prepare your vehicle – clean your windshield, adjust your seat, and set climate controls.
- Plan your route and allow plenty of time.

## **WHILE DRIVING**

- Pay attention and keep your eyes on the road.
- Use turn signals.
- Keep the radio at a low or moderate level.
- Stay calm and relaxed.
- Don't tailgate.
- Don't over-use your horn.
- Don't block the passing lane.
- If you are holding up traffic, pull over.
- Leave space between yourself and the vehicle ahead of you.
- Be courteous even when others are not courteous.
- Assume other drivers' mistakes are not intentional.
- Avoid driving when tired or emotionally upset.

## **IN PARKING LOTS**

- Look before backing up.
- Don't "steal" parking spaces.
- Don't hit other vehicles with your car door.
- Lock the car doors when exiting the vehicle.

## **IF CONFRONTED BY AN AGGRESSIVE OR VIOLENT DRIVER**

- Get out of the way.
- Don't return hostility.
- Avoid eye contact.
- Avoid obscene or threatening gestures.
- Don't get out of the car if an aggressive or violent person approaches your vehicle.
- Apologize if a confrontation occurs with another driver, even if you feel our actions are correct.

**If followed** – Drive to a police or sheriff's station or other location where help is available.

**Report aggressive acts or road rage to authorities.**

## **EMPLOYEE VEHICLE SAFETY**

The Department is not liable for vandalism, theft or any damage to cars parked on Department property.

# SAFETY IN THE WORKPLACE - CELL PHONES AND DRIVING

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Employees whose job responsibilities include driving and who must use a cell phone for business use are expected to refrain from using their cell phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off the side of the road and safely stop the vehicle before placing or accepting a call.

If acceptance of a call is unavoidable and pulling over is not a safe option:

- use hands-free devices;
- use the voice-activated or “speed dial” feature;
- keep the call short;
- do not take notes, text message or e-mail while driving;
- refrain from discussion of complicated or emotional issues; and
- keep eyes and attention on the road and both hands free to operate the vehicle.

Special care should be taken in situations where there is moderate to heavy traffic, inclement weather, or driving in an unfamiliar area.

Drivers are expected to comply with state laws regarding cell phone use while driving. Drivers are not allowed to use a cell phone while driving in a school zone. All drivers are banned from texting in school crossing zones.

Under no circumstances are employees allowed to place themselves at risk to fulfill business needs. Employees who are charged with traffic violations resulting from the use of their cell phone while driving will be solely responsible for all liabilities that result from such actions.

# SAFETY IN THE WORKPLACE - CHEMICAL SAFETY/SAFETY DATA SHEETS

A **Safety Data Sheet (SDS)** is provided by chemical manufacturers to provide additional information concerning the use of a product. The SDS contains a bewildering amount of data, some of it extremely technical. By knowing what questions to ask when reading the SDS, you can more quickly find the most important information.

The SDS provides:

- the common name and chemical name of the chemical material;
- the name, address, and telephone number of the manufacturer;
- emergency telephone numbers for immediate hazard information;
- the date the SDS was last updated;
- a listing of chemical hazards of the material; and
- information for identification of chemical and physical properties.

## **SECTION 1**

**Identification** identifies the chemical on the SDS as well as the recommended uses. It also provides the essential contact information of the supplier.

## **SECTION 2**

**Hazard(s)** identification includes the hazards of the chemical and the appropriate warning information associated with those hazards.

## **SECTION 3**

**Composition/information on ingredients** identifies the ingredient(s) contained in the product indicated on the SDS, including impurities and stabilizing additives. This section includes information on substances, mixtures, and all chemicals where a trade secret is claimed.

## **SECTION 4**

**First-aid measures** describes the initial care that should be given by untrained responders to an individual who has been exposed to the chemical.

## **SECTION 5**

**Fire-fighting measures** lists recommendations for fighting a fire caused by the chemical, including suitable extinguishing techniques, equipment, and chemical hazards from fire.

## **SECTION 6**

**Accidental release measures** provides recommendations on the appropriate response to spills, leaks, or releases, including containment and cleanup practices to prevent or minimize exposure to people, properties, or the environment. It may also include recommendations distinguishing between responses for large and small spills where the spill volume has a significant impact on the hazard.

## **SECTION 7**

**Handling and storage** provides guidance on the safe handling practices and conditions for safe storage of chemicals, including incompatibilities.

## **SECTION 8**

**Exposure controls/personal protections** indicates the exposure limits, engineering controls, and personal protective equipment (PPE) measures that can be used to minimize worker exposure.

## **SECTION 9**

**Physical and chemical properties** identifies physical and chemical properties associated with the substance or mixture.

## **SECTION 10**

**Stability and reactivity** describes the reactivity hazards of the chemical and the chemical stability information. This section is broken into 3 parts: 1) reactivity, 2) chemical stability, and 3) other.

## **SECTION 11**

**Toxicological information** identifies toxicological and health effects information or indicates that such data are not available. This includes routes of exposure, related symptoms, acute and chronic effects, and numerical measures of toxicity.

## **SECTION 12**

**Ecological information** provides information to evaluate the environmental impact of the chemical(s) if it were released to the environment.

## **SECTION 13**

**Disposal considerations** provides guidance on proper disposal practices, recycling or reclamation of the chemical(s) or its container, and safe handling practices. To minimize exposure, this section should also refer the reader to Section 8 (Exposure Controls/ Personal Protection) of the SDS.

## **SECTION 14**

**Transport information** includes guidance on classification information for shipping and transporting of hazardous chemical(s) by road, air, rail, or sea.

## **SECTION 15**

**Regulatory information** identifies the safety, health, and environmental regulations specific for the product that is not indicated anywhere else on the SDS.

## **SECTION 16**

**Other information** indicates when the SDS was prepared or when the last known revision was made. The SDS may also state where the changes have been made to the previous version . You may wish to contact the supplier for an explanation of the changes. Other useful information also may be included here.

The Occupational Safety and Health Administration (OSHA) requirements for hazardous chemicals in the workplace include the employee's "Right to Know" about possible exposure to potentially hazardous materials or chemicals in the workplace. Products may have the potential to cause a physical hazard (acid will burn the skin) or health hazard (poison is dangerous if ingested, etc.). Therefore, OSHA requires that **Safety Data Sheets (SDS)** are available in all places of employment.

Every product with a potential for hazard is rated in four (4) categories shown below with the accompanying label information and indicators:

- 1. Health** - "potential cancer-causing agent if inhaled"; "wash from skin immediately"; or "if ingested, do not induce vomiting"
- 2. Flammability** - High or low vaporization or fire point
- 3. Reactivity** - "do not mix with water"
- 4. Personal Protective Equipment** - "handle with gloves" or "must not breath fumes, must use regulator"

## **AVAILABILITY**

Individuals with allergies usually know about Safety Data Sheets (SDS), but others may not. Binders with copies of SDS are readily available for your use at all HCDE sites including every campus (located in the front office).

It is important that you not bring any chemicals into the workplace at any HCDE site to ensure the safety of students and employees. All products brought into the workplace should have an accompanying SDS available.

Should you need to purchase a product for use with students (i.e. finger paint), please ask which products are appropriate for use in a school, then purchase that brand. It is always best for appropriate campus personnel to purchase such items.

Be aware that non-toxic does not necessarily mean that a product is safe for everyone. In fact, it simply means that during testing of a non-toxic product, adverse effects occurred less than 50% of the time.

Questions regarding hazardous chemicals and SDS should be directed to the Executive Director Facilities.

# SAFETY IN THE WORKPLACE - DRUG FREE WORKPLACE NOTICE

See policies **DH (Legal 10/13/21/Local 9/24/19/Exhibit 12/10/20)** and **DI (Local 4/27/11/Exhibit 10/6/10)**

The Department prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace, on school premises, or as part of any of the Department's activities. 41 U.S.G. 702(a)(1)(A); 28 TAC 169.2

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include:

1. referral to drug and alcohol counseling or rehabilitation programs;
2. referral to employee assistance programs;
3. termination from employment with the Department; and
4. referral to appropriate law enforcement officials for prosecution.

As a condition of employment and in compliance with these requirements and prohibitions, which are mandatory, an employee shall:

- Abide by the terms of this notice; and
- Notify the Superintendent, in writing, if the employee is convicted for a violation of a criminal drug statute occurring in the workplace. The employee must provide the notice in accordance with DH (Local). 41 U.S.C. 702(a)(1)(D)

This notice shall be posted throughout the workplace. 41 U.S.C. 702(a)(1)(A); 28 TAC 169.2

Within thirty (30) calendar days of receiving notice from any source of a conviction for any drug statute violation occurring in the workplace, the department shall either:

1. Take appropriate personnel action against the employee, up to and including termination of employment, or
2. Require the employee to participate satisfactorily in a drug and alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. The cost of any such program shall be borne by the employee. 41 U.S.C. 702(a)(1)(B), 703

[This notice complies with the requirements imposed by the federal Drug-Free Workplace Act (41 U.S.C. 702) and notice requirements imposed by the Texas Workers' Compensation Commission rules at 28 TAC 169.2.]

## **DRUG DEPENDENCY EMPLOYEE ASSISTANCE PROGRAMS**

Employees addicted to drugs and/or alcohol can receive assistance through the organizations listed below:

<b>TRS ActiveCare</b> (Customer Service)	866-355-5999
<b>Employee Assistance Program</b> (24 hours/day, 365 days/yr) (AWP)	800-343-3822
<b>Narcotics Anonymous</b> (24-hour help line)	713-661-4200
<b>Alcoholics Anonymous</b> (24-hour help line) (referral and treatment 800-454-8966)	713-686-6300
<b>Mental Health Association of Greater Houston</b> (information and referral) www.mhahouston.org, info@mhahouston.org	713-523-8963 (main)

# PAYROLL INFORMATION

## PAYROLL DISTRIBUTION PROCEDURES

Check stubs are sent electronically to each employee's work e-mail address. Employees are paid via direct deposit and complete check details are available for review through the Employee Access Center (EAC).

## EMPLOYEE ACCESS CENTER

The Employee Access Center web link and login requires your user name along with your current HCDE password. The EAC is the go-to place for all your human resource and business tasks, including your payroll information, salary and benefits, W2s, tax information, leave information, and the "what if" paycheck calculator.

Select the Leave Information tab for information regarding state or local leave usage; discretionary or non-discretionary designations; and their balances.

The EAC is located at <https://EAC.hcde-texas.org> or through the "cloud" at <http://cloud.hcde-texas.org>. It is accessible both inside and outside the network. Contact the Information Technology System Service Desk for questions at 713-696-1300 or via email at [servicedesk@hcde-texas.org](mailto:servicedesk@hcde-texas.org).

## ASSIGNED PAYROLL PERSONNEL

Each division has a payroll contact person (PCP) who is assigned to handle payroll related matters of the division. The PCP collects, reviews, and submits all required documentation regarding employee time and absence reporting.

## SALARY PAYMENTS

Department employees who are full-time and are normally expected to work for 11 months, shall receive their salary spread-out over 12 months. This practice is referred to as "**annualization**" of income.

Department employees who are full-time and are normally expected to work for 10-months have the option to receive their salary over 10 or 12 months. Eligible employees shall elect to receive their salary over 10 or 12 months in accordance with administrative procedures.

## PAY SCHEDULE

Board approved salary increases are applied as per HCDE's approved Salary Schedule, to be effective August 1 through July 31st. Employees are paid semi-monthly (the 15th and the last workday of each month). Each pay period, annualized income will be equivalent to 1/24th of the annual salary.

Employees who began work after the start date for

their assigned position will have their pay calculated based on the number of workdays remaining in the school year. This prorated amount will be divided by the number of pay periods remaining in the school year and will become the employee's semi-monthly salary through the duration of that school year.

Non-salaried employees or part-time employees who work from the 1st through the 15th of the month will receive their pay on the last workday of the month. Time worked between the 16th and the last day of the month will be paid on the 15th of the following month.

Work Schedule	Date of First Pay	Date of Final Pay
162(c), 180(c), 190(a&d), 191(b), 218(a) days	September 13, 2024	August 29, 2025
200(a,b), 210(b), 213(b) days	August 30, 2024	August 15, 2025
230(a,b,c), 240 days	August 15, 2024	July 31, 2025

- Head Start staff only
- Schools staff only
- School-based Therapy Services staff only
- Adult Ed staff only

## REPORTING TIME WORKED AND LEAVES OF ABSENCE

All employees are required to work their approved schedules and number of hours in a workweek. The deminimus time for recording is seven (7) minutes. Non-exempt employees must account for all in and out times, including paid lunch periods and any absences, if applicable.

Exempt employees must account for all absences including teleworking days, if applicable. Each employee should use the absence legends available on the timekeeping system.

Employees are required to specify the type of personal leave (state or local) when requesting person leave. Also, when requesting personal leave, employees must specify discretionary or non-discretionary leave types. Refer to Board policy regarding rules and limitations for use of personal leave. Employees will receive leave without pay (LWOP) designation for time missed from work when a type of leave designation is not indicated or available.

## TIMEKEEPING SYSTEM

All employees (exempt and non-exempt) are required

to use the time clock system to record their hours worked and/or to report absences. Non-exempt employees are required to clock in/out for payroll and attendance purposes. The time clock records will be used to track attendance only for exempt employees.

### **CLOCKING IN AND OUT FOR REGULAR WORK SCHEDULE**

Non-exempt employees who are subject to over time provisions of the Fair Labor Standards Act (FLSA) are required to clock-in no later than the beginning of their scheduled work time and to clock-out at the end of the scheduled work time, unless required to work overtime or unless on approved leave. Non-exempt employees are required to clock-in no earlier than seven (7) minutes prior to the beginning of their scheduled work start time and to clock-out no later than seven (7) minutes after their scheduled work end time. Non-exempt employees who clock-in late or clock-out early will have compensation for such lost time deducted from their pay unless leave time is requested and approved in advance.

If a non-exempt employee misses an entry into the timekeeping system, then the employee will notify the supervisor as soon as possible. It is the employee's responsibility to notify the supervisor. The supervisor will manually enter the employee's missed entry. Non-exempt employees who consistently miss time clock entries will be subject to disciplinary action as described in the Timekeeping Procedures.

Non-exempt employees are only permitted to work overtime with prior authorization from the supervisor. Overtime includes clocking-in early or late. Non-exempt employees who work overtime without prior authorization will be subject to disciplinary action.

### **CLOCKING-IN AND -OUT FOR LUNCH BREAKS**

Non-exempt employees are required to clock-in/clock-out for lunch breaks, in addition to the start and end of the day.

### **CLOCKING-IN AND -OUT FOR OTHER EMPLOYEES**

Under no circumstance will an employee punch a time clock, call into the timekeeping system, or log into the web application for another employee. An employee violating this standard will be subject to disciplinary action, up to, and including, termination of employment.

### **EMPLOYEES ON LEAVE**

Employees who are on Family Medical Leave, Temporary Disability Leave, or Leave of Absence, or are out due to a work-related illness or injury, are not required to clock-in/clock-out while on such approved absence; however, all documentation for leave must

be submitted to the Human Resources division. All other types of leave (i.e. personal, vacation, etc.) should be requested through the timekeeping system and approved prior to the employee's absence.

Managers are required to submit leave segments for all employees on extended leave. Code 690 "other", should be used, and a note should be provided for the specific leave type as described in the Leave Request Instructions.

Refer to the Human Resources Personnel Procedures, Timekeeping guidelines for additional information on Timekeeping Procedures. Employees should also refer to their division's Standard Operating Procedure for division requirements related to the timekeeping system.

### **HOLIDAYS**

The Department does not provide paid holidays. Full-time salaried employees' salaries are spread throughout the year to cover the official holidays of the Department.

### **PERSONAL LEAVE**

Employees are responsible for monitoring available leave time. Leave time must be available prior to requesting time off. Leave balances are verified by payroll staff; therefore, if an employee uses time that he/she does not have available to use, then the employee's paycheck will be docked accordingly. All leave must be requested through Time Clock Plus. Leave requests that were not entered before the due date must be reported on a leave exception form.

Leave may be requested in 15-minute increments and will be docked in 15-minute increments, except for leave designated as Family and Medical leave. Employees will receive five (5) state personal leave days for the current year, available for use at the beginning of the school year or a pro-rated amount for new hire employees based on their start date. In addition, employees earn 0.5 of a local personal leave day on the 15th of each month. An employee must work at least ten days in the prior month, to receive the five personal leave days on the 15th. If an employee is out on extended leave (FMLA or TD) or workers' comp and doesn't physically work the 10 days required, then he/she will not accrue leave.

There are two types of personal leave: discretionary and non-discretionary leave. Non-discretionary leave is leave that generally cannot be planned and usually involves personal or family illness, family emergency, or death in the immediate family.

Discretionary leave can usually be planned or scheduled in advance and should be taken at the employee's discretion. This type of leave requires approval and there are certain days that cannot be taken as discretionary. In addition to not taking

more than 3 consecutive days, campus instructional employees may not take discretionary leave on days scheduled for staff development, the day before or after a school holiday, the first or last day of a grading period or semester, days scheduled for state-mandated tests, or days scheduled for end-of-semester or end-of-year examinations. Also, employees working in 10- or 11-month positions may take no more than 5 discretionary days in any school year, and 12-month employees may take no more than 6 days in any school year.

If you discover discrepancies, contact the Payroll office immediately.

### **VACATION**

Full-time employees in 12-month positions can accrue paid vacation. Vacation earned between January and December of each calendar year is made available to the employee in January of the following year and the new balance is reflected on the January 31st pay stub. Unused vacation will not rollover and will be forfeited.

### **POSTING OF PERSONAL LEAVE AND VACATION**

Attendance is posted two weeks behind. Attendance for the 1st through the 15th will be posted on 31st pay check. Attendance for the 16th through the 31st will be posted on the following 15th pay check.

For example – John Doe used personal leave days on September 18 and 19. The personal leave balance will reflect those days used on his October 15th pay stub. (See Pay Schedule.)

### **DIRECT DEPOSIT**

All employees are required to participate in direct deposit. Direct Deposit forms may be accessed through the HCDE intranet, Business Services division, or attached in the Employee Handbook (in the Forms section).

### **YEAR-END W-2S**

Each year the payroll office processes year-end payroll information and prepares employee W-2 wage statements for every employee. W-2s are available to all employees on the EAC (Employee Access Center). Employees who wish to have their W-2 mailed must complete a Request Form. Request Forms are available on the HCDE intranet, or from the payroll office. It is important that the human resources office has an accurate mailing address for each employee so that the W-2 is received in a timely manner. There is a \$10.00 fee for each duplicate W-2 request.

### **PAYROLL CONTACT RESOURCES**

If you should have any questions and need to contact payroll personnel, contact Payroll at 713-696-1747, 696-8289, or send an inquiry to [HCDEpayroll@hcde-texas.org](mailto:HCDEpayroll@hcde-texas.org)

Employees should review their paystubs regularly to ensure that their pay and deductions are accurate.

## EXPLANATION OF SAMPLE PAY STUB

Earnings	Hours	Amount	Deductions	Amount	YTD Deduct	Contribution	YTD Gross
SALARY	<b>1</b>	3,961.75	FICA	232.92	2,375.89	232.92	39,742.50
TECH ALLOW		25.00	MEDICARE	54.47	555.68	54.47	
			FED TAX	509.76	5,263.43	.00	Current Earnings
			TRS	305.05	3,050.50	.00	3,986.75
			TRS CARE	25.75	257.50	29.71	Current Net
			UNEMP INS	.00	.00	15.49	.00
			MEDICAL	2.00	1,032.00	.00	Pay Period
			DENTAL	99.48	111.86	.00	Ending
			INDEMNITY	51.00	135.10	.00	05/29/20
			TELEMED	5.00	50.00	.00	Pay Date
			DISABILITY	9.60	96.00	.00	05/29/20
			LIFE EE	56.00	25.60	.00	Stub No
			LIFE SPOUS	45.00	24.50	.00	V609739
			DIRECT DEP	1,000.00	10,000.00	.00	
			ASST PROG	.00	.00	.95	
			LIFE INSUR	.00	.00	.98	
			DIRECT DEP	50.00	500.00	.00	
			DIRECT DEP	1,564.20	16,172.32	.00	
			MEDICAL	.00	.00	.00	
			DENTAL	.00	92.12	.00	
			Total	3,986.75	39,742.50	-43.48	

Leave Balances as of 05/15/2020

STATEMENT OF EARNINGS AND DEDUCTIONS - PLEASE DETACH AND KEEP FOR YOUR RECORDS

### SECTION 1

Pay Earnings and Amount includes employee earnings, including salary, hourly or daily wage, supplemental pay, stipends, overtime, allowances, etc.

### SECTION 2

Type of Leave, Balance, and Taken Year-to-Date. If you are unsure of leave balance, please contact Payroll.

- **State Sick** is no longer earned by employees. Long-term employee who earned state sick days prior to 1995 may have state sick leave days which may be used for illness, family emergencies, or a death in the employee's immediate family.
- **Local PL** – Local Personal Leave. Full-time employees who work 10 days per month will receive each month worked ½ day of local personal leave during the months of August through May.
- **Local PL** – Local Personal Leave 2nd entry. Full-time employees who work in June (11- and 12- month employees) and work at least 10 days in June, will receive 1 day of personal leave in June. Full-time employees who work in July (12-month employees) and work at least 10 days in July, will receive 1 day of personal leave in July.
- **State PL** – State Personal Leave. Full-time employees who work 10 days per month will receive 5 state personal leave days for the current year, available at the beginning of the school year. If hired after the school year begins, a pro-rated amount will be given.
- **Vacation, Comp Time, or Misc** are other categories of paid leave.

### SECTION 3

**Employee Deductions** – Amount and YTD Deduct. The amounts shown are for the indicated pay day (Amount) as well as the year-to-date deductions (YTD Deduct) (calendar year).

- **FICA** – Social Security deduction of 6.20% (up to a FICA taxable maximum amount of \$168,600 through December 31, 2024)
- **Medicare** – Medical deduction of 1.45% (up to a determined maximum taxable wage); Additional Medicare deduction for Medicare wages paid over \$200,000 of 0.9% (employee only)
- **Federal** – Federal income taxes (depending on the employee's W-4 withholdings)
- **TRS** – Teacher Retirement System (TRS) deduction of 8.25% (effective September 1, 2024)
- **TRS Care** – TRS retiree medical plan deduction of 0.65%. This deduction supports the medical plan offered to retirees – not to active employees.
- **Benefits:** Medical, dental, vision, disability, life EE (employee), life spouse, life CH (children), legal plan, flex med (Flexible Spending Account-medical), flex ded (Flexible Spending Account-dependent care), 457 (457 retirement plan), and 403(b) retirement plan are all benefit plans that an employee may chose to participate in or not.
- **Direct Deposit** – There may be more than one direct deposit listing depending on the employee's request. Employees have up to two additional accounts to request to forward money into such as a credit union account or other savings vehicle. The bottom line direct deposit listing indicates net pay deposited into an employee's primary account.

## SECTION 4

**Employer Contributions** – amounts HCDE pays (reported on a calendar year basis):

- **FICA** – HCDE pays an employer-matching contribution to Social Security of 6.2%
- **Medicare** – HCDE pays an employer-matching contribution of 1.45%
- **TRS Supp** – For employees enrolled in the medical plan, a contribution is made to TRS toward the cost of the premium.
- **TRS Care** – HCDE pays a contribution of 0.75% to the TRS retiree medical insurance plan for each employee.
- **Unemp Ins** – HCDE pays a determined amount toward unemployment coverage for all employees.
- **Medical** – HCDE contributes a determined amount toward the cost of an employee's medical insurance coverage.
- **Asst Prog** – HCDE pays a determined amount toward the Employee Assistance Plan (EAP) for eligible employees.
- **Life Insur** – HCDE provides basic and accidental life insurance coverage to eligible employees.

## Payroll Conversion Chart

<b>Increments</b>	<b>Hours</b>	<b>Percent of Day</b>
15 mins	= 0.25	= 0.0313
30 mins	= 0.5	= 0.0625
45 mins	= 0.75	= 0.0938
1 hr	= 1	= 0.125
1 hr 15 mins	= 1.25	= 0.1563
1 hr 30 mins	= 1.5	= 0.1875
1 hr 45 mins	= 1.75	= 0.2188
2 hr	= 2	= 0.25
2 hr 15 mins	= 2.25	= 0.2813
2 hr 30 mins	= 2.5	= 0.3125
2 hr 45 mins	= 2.75	= 0.3438
3 hr	= 3	= 0.375
3 hr 15 mins	= 3.25	= 0.4063
3 hr 30 mins	= 3.5	= 0.4375
3 hr 45 mins	= 3.75	= 0.4688
4 hr	= 4	= 0.5
4 hr 15 mins	= 4.25	= 0.5313
4 hr 30 mins	= 4.5	= 0.5625
4 hr 45 mins	= 4.75	= 0.5938
5 hr	= 5	= 0.625
5 hr 15 mins	= 5.25	= 0.6563
5 hr 30 mins	= 5.5	= 0.6875
5 hr 45 mins	= 5.75	= 0.7188
6 hr	= 6	= 0.75
6 hr 15 mins	= 6.25	= 0.7813
6 hr 30 mins	= 6.5	= 0.8125
6 hr 45 mins	= 6.75	= 0.8438
7 hr	= 7	= 0.875
7 hr 15 mins	= 7.25	= 0.9063
7 hr 30 mins	= 7.5	= 0.9375
7 hr 45 mins	= 7.75	= 0.9688
8 hr	= 8	= 1

# RETIREMENT PLANS

## **CRG (Legal 10/25/19)**

HCDE does not endorse, recommend, promote or advocate any insurance company, mutual fund, investment manager, insurance agent, registered representative or any other provider of supplemental retirement planning products to its employees. HCDE does not make any guarantee regarding the investment performance, safety of principle, or the amount/leave of benefits to be received as a result of purchasing any product in the 403(b) or 457 retirement plans. Please consult your tax or investment professional for information on how the purchase of investment funds in a 403(b) or 457 retirement plan will impact your personal finances.

At any time, you may enroll, change your investment fund/annuity selection (within the funds and annuities offered by these plans), and change (or stop) the amount you are investing.

## **403(B) -PLAN**

A 403(b) retirement plan is an investment vehicle available to employees of public education, hospitals, and other not-for-profit entities. Tax Sheltered annuities (TSAs) and mutual funds are the investment vehicles authorized under section 403(b) of the IRS code. The TSAs or mutual funds selected must obtain an Information Sharing Agreement (ISA) with the 403(b) plan administrator to be part of the 403(b) plan and TCG must have the agreement in place before a new 403(b) vendor may be selected. With a 403(b) retirement plan, you can build a substantial retirement nest egg utilizing before- tax dollars and tax deferred accumulation of the deposits and the compound interest earned. Federal income taxes are not payable on the deposits or interest earned until the employee begins withdrawing them at retirement.

If you have invested in the 403(b) plan, your individual arrangement with the annuity or mutual fund will determine what, if any, funds are available for withdrawal while you are an active employee.

## **457 PLAN**

The 457 retirement plan is another retirement savings plan that is available to you. A 457 plan provides you the opportunity to save for retirement by utilizing before tax dollars and tax deferred accumulation of investment earnings. There are approximately 20 investment funds in the 457 plan from which you may choose to invest. Enrollment in the 457 investment plan is done online at [www.tcgservices.com](http://www.tcgservices.com).

As an active employee, contributions you make to the 457 plan are not available for withdrawal.

## **401(A) PLAN**

Employees who work full-time for HCDE for five (5) or more years, and who are retiring from both TRS and HCDE, are eligible to be paid for their accumulated personal leave as per policy. All payments of the value of accumulated personal and sick leave of \$1,000 or more shall be made as an employer contribution to a 401(a) defined benefit retirement plan. Such payments shall be 100% vested with the plan participant at all times. The plan participant shall have the right to receive the distribution from the plan under any option available under federal tax rules and the rules of the plan.

# PUBLIC INFORMATION ACT

## WHAT IS PUBLIC INFORMATION?

The Texas Public Information Act (TPIA) gives the public the right to request access to government information.

Most information (in any form, but not limited to paper, microfilm, microfiche, computer data, e-mail, audio/videotape, photographs, maps or drawings) the Department writes, produces, collects, assembles, or maintains in connection with the transaction of official business in public unless expressly excepted from disclosure.

New law allows ALL communication, even on non-HCDE owned devices, to be collected as public information if the communication is in connection with the transaction of official business.

## REQUESTING INFORMATION

The Act is triggered when a person submits a written request to the Department. Verbal requests by telephone or during a conversation after a meeting, or in person at the receptionist's desk do not constitute an official request for information. The request must ask for records or information already in existence. The Act does not require the Department to create new information or conduct legal research.

All requests for public information must be directed to the Department's Manager of Public Information. Requests may be made by mail, fax, e-mail, or in person.

Fax: 713-696-0722

e-mail: publicinformation@hcde-texas.org

Immediate notification to the Public Information Office is required for every request received at HCDE. **Received** refers to the physically received date, not when the request was finally opened and read. The Department has certain statutory deadlines, and/or guidelines it must meet for every public information request. The Department must produce responsive information promptly, meaning "as soon as possible under the circumstance within a reasonable time without delay." There are criminal penalties for failure to comply with the TPIA.

## CHARGES TO THE REQUESTOR

A person can ask to view the information, get copies of the information, or both. If a request is for copies of information, the Department may charge for the copies. If a request is only for an opportunity to inspect information, then the Department may not impose a charge for the requestor; however, under certain limited circumstances the Department may

impose a charge for access to information. All charges imposed by the Department for copies or for access to information must comply with Texas Building and Procurement Commission (TBPC) rules, unless another statute authorizes an agency to set its own charges.

## PUBLIC ACCESS OPTION

Employees (current and former) choose if information is withheld by completing a form within 14 days of hire or departure from the Department (Section 552.117). Information includes that which relates to home address, home phone, or Social Security Number, or that reveals whether that person has family members (except if required by the state for child support purposes).

## EXCEPTIONS TO THE ACT

Although the Act makes most governmental information available to the public, some exceptions exist:

### **Common Law Privacy (Section 552.101)**

Information, when it is disclosed would constitute invasion of privacy through disclosure of private facts, remain confidential. The information must

1. contain highly intimate or embarrassing facts about a person's private affairs such that its release would be highly questionable to a reasonable person and
2. be of no legitimate concern to the public. (*Industrial Foundation of the South v. Texas Industrial Accident*)

### **Confidential Information – NOT Subject to Public Release:**

- Names of victims and witnesses involved in sexual harassment cases, but not that of the perpetrator (Morales v. Ellen)
- Military discharge records are confidential for 75 years from issuance or receipt by the Department (552.140)
- Although evaluation of public school teachers and administrators are considered not be an invasion of privacy, they are held confidential by Statute. (Open Records Decision 643)
- Information regarding active bids (Section 552.104)
- Information that a court orders to remain confidential (Section 552.107(2))

- Criminal history records obtained by the Department are held confidential under the rights of privacy (section 552.101 – US Dept of Justice v. Reporters Comm. For Freedom of the Press)
- When an attorney is hired to conduct an investigation in his or her capacity as an attorney, a report produced by the attorney containing both factual information and legal advice is excepted from public disclosure in its entirety. (Section 552.107(1))
- Credit cards, debit cards, charge cards, and access device numbers (Section 552.136)
- Computer e-mail addresses and network information
- Student records (See exceptions below)
- Employee birthdates (Texas Comptroller of Public Accounts vs. Attorney General of Texas)
- Sensitive crime scene images (552.1085)
- Identity of school marshal (37.0811)
- TRS Retirement program records (552.0038, 825.507)

**Constitution Privacy (Section 552.101)**

“Zones of Privacy” implicating the individual’s interest in independently making certain kinds of decisions include matter related to marriage, procreation, contraception, family relationships, child rearing and education is confidential.

**Personnel Files (Section 552.102)**

Transcripts from an institute of higher education in the personnel file of a public school employee are confidential (except degree and curriculum which, may be made public). Common Law Privacy also applies to personnel files. Provisions of Section 552.102 do not apply to applicants for employment.

When the Department engages in competition with private entities in the marketplace, the Department may withhold information to maintain its competitive advantage in the marketplace if the Department can demonstrate (1) it has specific marketplace interests and (2) the possibility of specific harm to these marketplace interests from the release of requested information. (Open Records Decision 593)

**NOT Confidential Information – Subject to Public Information includes:**

Information about a public employee’s job performance, reasons for dismissal, demotion, promotion, or resignation are open to public disclosure. (Open Records Decision 444).

- Names, sex, ethnicity, salaries, title, and dates of employment of all employees and officers of governmental bodies.

**Student Records – Section 552.026 and Section 552.114**

There are two exceptions regarding student records:

1. FERPA
2. State Law

# THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

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FERPA governs the availability of student records held by educational institutions that receive federal funds.

1. FERPA prohibits release of personally identifiable information contained in student's educational record within parental consent.
2. FERPA gives parents rights to inspect educational records of their children (until a child reaches age 18 or attends an institution of post-secondary education).

**Education Records** are those records containing information directly related to the student and maintained by an educational institution. Other examples of education records are letters written by parents to school trustees regarding a teacher's performance to the extent that they contain information directly related to the student. (Open Records Decision 332)

**Records Not Subject to FERPA include:**

- records created by campus police departments;
- records regarding a deceased student; and/or
- achievement test scores by grade and school that do not list individual students.

**Directory Information** which may be released may include student name, address, phone, e-mail, photo, date and place of birth, major fields of study, dates of attendance, grade level, enrollment status, participation in officially recognized sports, weight and height of athletic team members, degrees, honors and awards received, most recent educational institution attended, marital status, and expected date of graduation.

The Department chooses how much directory information from education records will be disclosed; however, the Department must establish a policy and give notice as to the specific types of directory information intended to disclose. Parents or the eligible student must have a chance to respond in writing and refuse release of any or all information.

**State Law provides access of a student record to:**

- an individual conducting a child abuse investigation (an educational institution receiving state funding and not federal funding may allow access to a student's spouse); and/or
- students and/or their parents may have access to their own education records.

# CONFIDENTIALITY AND SAFEGUARDING SENSITIVE INFORMATION

Harris County Department of Education (HCDE) employees, contractors, consultants, temporary workers, vendors, students, interns, Policy Council members, and Board members are obligated by law and policy to protect sensitive information created, possessed, used, or maintained by the Department. The use of common sense and good judgment in securing confidential information is encouraged.

**Sensitive information** (referred to as “SI”) includes, but is not limited to, pay stubs, bank account information, medical information (including insurance claims and medical or health information), and personal information (such as date of birth, address, and phone number).

## **LAWS**

The Family Educational Rights and Privacy Act (FERPA) prohibits the release of student educational records or personally identifiable information in those records to be released without the written consent of the parents or other individuals identified in statute. (See the FERPA section in this handbook.)

The Texas Public Information Act (TIPA) exempts from public disclosure information in an employee’s personnel file which would constitute a clearly unwarranted invasion of personal privacy and exempts from public disclosure information considered confidential by law. (See the Public Information Act section included in this handbook.)

## **SAFEGUARDS**

Hard copy or print format SI shall be secured in locked cabinets, drawers, or storage rooms when not in use. While in use, SI shall be secured in a manner to protect its contents from being seen by others who do not have authority to view its contents. Utilizing a “clean desk” policy (such as turning documents over when others are near, or removing documents from the desk area when not in use) and following the Department’s approved records retention schedule authorizing proper shredding of SI documents are ways to safeguard SI.

SI in electronic format shall be stored through password protection means, and using and maintaining “strong passwords” that are never shared or posted. Transmitting SI through Department e-mail is allowed by carefully sending the SI to the intended recipient and not forwarded to others. The following statement shall be added to Department emails to protect SI:

“This message, and any attachment(s) hereto, may contain confidential and/or proprietary information, which is the property of Harris County Department of Education and is intended for the person to whom or entity to which it was originally addressed. Any use by others is strictly prohibited. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this message or its attachments is strictly prohibited, and may be unlawful. If you have received this message in error, please delete all electronic copies of this message and its attachments, if any, without disclosing the contents, destroy any hard copies that may have been created and notify the sender immediately by telephone or e-mail. If notification is by reply e-mail, please delete the reply from your system.”

## **REQUESTS FOR INFORMATION**

Requests for information regarding Department personnel shall be forwarded to the Executive Director of Human Resources. Concerns relating to the mishandling or SI shall be immediately forwarded to the Executive Leadership Team.

# ELECTRONIC COMMUNICATION / ACCEPTABLE USE GUIDELINES

The goal of these guidelines is to outline appropriate and inappropriate use of Harris County Department of Education (HCDE) Internet Resources, including, electronic mail and messaging, texting, intranet, all forms of social media, web logs, electronic forums, video sharing editorial comments and social network sites (collectively, "Internet Resources"). An individual's account provides access to networks around the world through these Internet Resources. Use of these Internet Resources is a privilege, not a right, and subject to the following guidelines:

## **MY ACCOUNT**

Access to Internet Resources at HCDE is controlled through individual accounts and passwords. Department managers are responsible for defining appropriate access levels to Internet Resources for the persons in their divisions and conveying such access to the network administrator.

Each user of the HCDE system is required to read these guidelines and sign an ***Employee/Contractor Agreement for Electronic Communications and Acceptable Use Agreement*** prior to receiving an Internet access account and password.

## **APPROPRIATE USE**

Individuals at HCDE are encouraged to use Internet Resources to further the goals and objectives of HCDE. HCDE accounts are to be used mainly for business pertaining to HCDE, educational and/or professional development, HCDE clients, and communication with fellow employees. These types of activities that are encouraged include:

- communicating with fellow employees, business partners of HCDE, and clients within the context of an individual's assigned responsibilities;
- acquiring or sharing information necessary or related to the performance of an individual's assigned responsibilities; and/or
- participating in educational or professional development activities.

Individuals with HCDE accounts will be held responsible at all times for the proper use of their accounts. The Department may suspend or revoke an individual's access to his/her HCDE account and/or to Internet Resources if these guidelines, the ***Employee/Contractor Agreement for Electronic Communications and Acceptable Use Agreement***, and applicable policies and procedures are violated.

Individuals are required to follow HCDE's records retention schedules to determine the length of time a record, including an electronic record, is required to be retained.

## **INAPPROPRIATE USE**

An individual's use of Internet Resources shall not interfere with work. Users will not violate the network policies of any network accessed through their accounts. Internet use at HCDE shall comply with all federal and state laws, all HCDE policies, procedures, and guidelines, and all HCDE contracts including but not limited to the following:

1. Internet Resources may not be used for illegal or unlawful purposes, including, but not limited to, copyright infringement, obscenity (including, but not limited to, accessing or transmitting obscene or pornographic material or material that is otherwise harmful to minors, libel, slander, fraud, defamation, plagiarism, harassment, intimidation, forgery, impersonation, illegal gambling, soliciting for illegal pyramid schemes, and computer tampering (e.g. spreading computer viruses).

The Internet may not be used in any way that violates HCDE policies, procedures, guidelines, or administrative orders, including but not limited to, HCDE's Internet Safety Policy and any applicable code of conduct policies. See ***Policies CQ (Local); DH (Local)***. Use of Internet Resources in a manner that is not consistent with the mission of HCDE, misrepresents HCDE, or violates any HCDE policy, procedure, or guideline is prohibited.

2. Individuals should limit their personal use of the Internet. HCDE allows limited personal use for communication with family and friends, independent learning, and public service. HCDE prohibits use of mass unsolicited mailings, access for non-employees to HCDE resources or network facilities, competitive commercial activity unless pre-approved by HCDE, and the dissemination of chain letters, wasting Department resources through improper use of the computer system, such as spamming.
3. Individuals may not view, copy, alter, or destroy data, software, documentation, or data communications belonging to HCDE or another individual without authorized permission.

4. In the interest of maintaining network performance, users should not send unreasonably large electronic mail attachments.
5. Individuals shall not use another individual's account without permission. Individuals shall not gain or attempt to gain unauthorized access to restricted information or resources.
6. Individuals shall not disclose, use, or disseminate personally identifiable information regarding students without appropriate authorization.

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

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, editorial comments posted on the Internet, and social network sites (e.g. Facebook, MySpace, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication, such as land lines, cell phones, and Web-based applications.

As role models for the Department's students, employees are responsible for their public conduct even when they are not acting as HCDE employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media violates state or federal law or Department policy, or interferes with the employee's ability to effectively perform his or her job duties, then 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, then the employee is responsible for the content of 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 content that is linked to the employee's pages. Employees who set up personal Web sites or Web pages do so at their own risk; however, employees are strongly encouraged to keep their personal Web pages private and to also prevent students and parents of students from accessing their personal Web pages. Content of employees' personal Web pages may not violate HCDE policies, procedures, or guidelines or harm the employees' ability to function professionally and effectively in the HCDE environment.

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

- Employees shall not use HCDE's logo or other copyrighted material of HCDE without express written consent.

- Employees continue to be subject to applicable state and federal laws, policies, procedures, administrative regulations, guidelines, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include but are not limited to:

- 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 HCDE records, including educator evaluations and private email addresses. **See Policy GBA.**
- Copyright laws. **See Policy EFE.**
- Prohibition against harming others by knowingly making false statements about a colleague or the Department. **See Policy DH (Exhibit).**

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

All employees may communicate with students who attend a HCDE school or program through electronic media. Employees must comply with the provisions outlined below when communicating through electronic media with any student who attends a HCDE school or program.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with the student. For purposes of this exception, "social relationship" means a relationship between the employee and the student directly derived from an employee's relative, a child of an employee's friend, a friend of an employee's child, or from membership in the same civic, social, recreational, or religious organization.

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

- **Electronic media** includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video sharing Web sites, editorial comments posted on the Internet, and social network sites (e.g. Facebook, MySpace, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication such as land lines, cell phones, and Web-based applications.
- **Communicate** means to convey information and includes 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 Department regulations on personal electronic communications. See **Personal Use of Electronic Media**, above. Unsolicited contact from a student through electronic means is not a communication.

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

- 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 am.; an employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the code of Ethics and Standard Practices for Texas Educators, including:
  - Compliance with the Public Information Act and Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. **See Policies CPC and FL.**
  - Copyright law. **See 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 any 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 written request to his or her immediate supervisor, who shall consult with a member of the HCDE Executive Team concerning whether to grant or deny the request.

## **SECURITY**

For security purposes, users may not share account or password information with other persons. HCDE accounts are to be used only by the assigned user of the account for authorized purposes. Attempting to obtain another user's account password is strictly prohibited. Users are required to obtain a new password if they have reason to believe that any unauthorized person has learned their password. Users are required to take all necessary precautions to prevent unauthorized access to Internet services.

## **FAILURE TO COMPLY**

Violations of these guidelines, HCDE policies and procedures. **Employee/Contractor Agreement for Electronic Communications and Acceptable Use Guidelines**, and inappropriate use of Internet resources will be treated like other allegations of wrongdoing at HCDE. Allegations of misconduct will be adjudicated according to established policies and procedures. Sanctions for violation of these guidelines, the **Employee/Contractor Agreement for Electronic Communications and Acceptable Use Guidelines**, and/or inappropriate use of Internet resources may include, but are not limited to, one or more of the following:

- Temporary or permanent revocation of access to some or all Internet resources, computing and networking resources and facilities, and/or the HCDE system;
- Disciplinary action, up to and including termination of employment, according to applicable HCDE policies and/or procedures; and/or
- Legal action according to applicable laws and contractual agreements.

## **MONITORING AND FILTERING**

Use of HCDE Internet Resources shall not be considered private. HCDE may monitor any Internet activity occurring on HCDE equipment or accounts. HCDE currently employs filtering software to limit access to restricted sites on the Internet. This software is compatible with Children's Internet Protection Act (CIPA) and Neighborhood Children's Internet Protection Act (NCIPA) recommendations for student access to the Internet and may be disabled

only by an authorized administrator as permitted by applicable law and Department policies. If HCDE discovers activities which do not comply with applicable law or Departmental policies, procedures, and/or guidelines, records retrieved may be used to document the wrongful content.

### **DISCLAIMER**

HCCDE assumes no liability for any direct or indirect damages arising from the user's connection to the Internet. HCDE is not responsible for the accuracy of information found on the Internet and only facilitates the accessing and dissemination of information through its systems. Users are solely responsible for any material that they access and disseminate through the Internet.

HCDE encourages users to use their Internet access responsibly. Should any user have any questions regarding these ***Electronic Communication and Acceptable Use Guidelines***, the user should contact the Service Desk at 713-696-1300, via HCDE internal e-mail at "ServiceDesk", or via external e-mail at [ServiceDesk@hcde-texas.org](mailto:ServiceDesk@hcde-texas.org). For questions about the guidelines, contact the Human Resources division.

# INFORMATION TECHNOLOGY SERVICES AND ASSISTANCE

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## **SERVICES PROVIDED**

HCDE's Information Technology Services division supports both PC and MAC environments. HCDE utilizes **Microsoft Outlook** for e-mail services and provides training for the e-mail system.

Additionally, the division utilizes the **Microsoft Office** system and provides training and support for the **Microsoft Office** Suite of programs. Various educational software systems are in use at HCDE campuses. Support for those systems are available through the Service Desk.

The Information Technology Services division supports the HCDE telephone system and maintains the Department's computer network. Additionally, the division is responsible for managing technology equipment purchases on behalf of all divisions.

## **SERVICE DESK**

HCDE's Service Desk staff receives reports regarding any technology concerns and/or problems (including problems with computer viruses), and offers troubleshooting and technical assistance.

Audio/video equipment is provided for business purposes and may be reserved through the Information Technology Services Service Desk or on-line using the **Meeting Room Manager** tool.

Service Desk support is available Monday through Friday from 7:30 a.m. through 5 p.m. Contact Service Desk staff at 713-0696-1300.

## **HCDE PORTAL**

Employees may access internal information about procedures and processes relating to each division through the HCDE internal portal at <http://hcdeportal>, also referred to as "The HUB".

# POLICY CQ (LOCAL)

Issued 7/17/20

## **ELECTRONIC MEDIA**

For purposes of this policy, “electronic media” and “technology resources” mean electronic communication systems and electronic equipment. The Superintendent or designee shall implement, monitor, and evaluate electronic media resources for instructional and administrative purposes.

## **AVAILABILITY OF ACCESS**

The Department’s electronic data management systems will be used only for administrative and educational purposes consistent with the Department’s mission and goals. Commercial use of the Department’s system is strictly prohibited.

The Department will provide training to employees in proper use of the system and will provide all users with copies of Acceptable Use Guidelines and this policy. All training in the use of the Department system will emphasize the ethical use of this resource.

Copyrighted software or data may not be placed on any system connected to the Department’s system without permission from the holder of the copyright. Only the owner(s) or individuals the owner specifically authorizes may upload copyrighted material to the system.

## **CONSENT REQUIREMENT**

No original work created by any Department student or employee will be posted on a web page under the Department’s control unless the Department has received written consent from the student, the student’s parent, or employee who created the work.

No personally identifiable information about a Department student will be posted on a web page under the Department’s control unless the Department has received written consent from the student’s parent.

## **MONITORED USE**

Electronic mail transmissions and other use of the electronic communications systems by students and employees and members of the public shall not be considered private. Designated Department staff shall be authorized to monitor the Department’s technology resources at any time to ensure appropriate use.

The Department has absolute, full and unrestricted access to all information stored within its technology resources and electronic communication systems. This may include retrieving information, troubleshooting hardware and software, preventing

system misuse, monitoring quality, and complying with regulations. Employees have no right of privacy with regard to use of electronic and telephonic communication systems. All such use may be monitored at any time by designated Department staff to ensure appropriate use.

With cause a supervisor may request an individual’s electronic communication be monitored. Approval of both the Chief Information Officer and the Executive Director of Human Resources should be required before monitoring a specific employee. The Executive Director of Human Resources will notify the appropriate Executive Team member.

The Department will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the Department’s electronic communications system.

## **DISCLAIMER OF LIABILITY**

The Department shall not be liable for user’s inappropriate use of the Department’s technology resources or violations of copyright restrictions or other laws, users’ mistakes or negligence, and costs incurred by users. The Department shall not be responsible for ensuring the availability of the Department’s electronic communication or technology resources or the accuracy, age appropriateness, or usability of any information found on the internet.

## **AVAILABILITY OF ACCESS**

Access to the Department’s electronic communications system, including the Internet, shall be made available to students and employees primarily for instructional and administrative purposes consistent with the Department’s mission and goals, and in accordance with administrative regulations.

Access to the Department’s electronic communications system will be governed as follows:

- Department employees will be granted access to the Department’s system.
- Students will be granted access to the Department’s system by their teachers, upon written approval of their parent or guardian.
- A teacher may apply for a class account and in doing so will be responsible for the use of the account.
- Any system user identified as a security risk or having violated the Department’s Acceptable Use Guidelines may be denied access to the Department’s system.

## **LIMITED PERSONAL USE**

Limited personal use of the system shall be permitted if the use:

Imposes no tangible cost on the Department;

Does not unduly burden the Department's technology resources;

Has no adverse effect on an employee's job performance or on a student's academic performance; and

Does not violate the Department's Conflict of Interest Policy. [See DBE (Local)]

## **ACCEPTABLE USE**

The Superintendent or designee shall develop and implement administrative regulations, guidelines, and user agreements consistent with the purposes and mission of the Department and with law and policy.

Access to the Department's technology resources is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the Department's technology resources and shall agree in writing to allow monitoring of their use and to comply with such regulations and guidelines. Non-compliance may result in suspension of access or termination of privileges and other disciplinary action consistent with Department policies. [See DH, FN series, FO series, and the Student Code of Conduct] Violations of law may result in criminal prosecution as well as disciplinary action by the Department.

Accessing, posting, or sharing any racist, sexist, threatening, pornographic, or otherwise objectionable material is strictly prohibited. Violation of this policy may result in appropriate disciplinary action. Violations of the law may result in criminal prosecution as well as disciplinary action by the Department.

## **INTERNET SAFETY**

The Superintendent or designee shall develop and implement an Internet safety plan to:

- Control students' access to inappropriate materials, including but not limited to materials that are obscene or contain child pornography, as defined by this policy, and materials harmful to minors;
- Ensure student safety and security when using electronic communications;
- Prevent unauthorized access, including hacking and other unlawful activities;
- Restrict unauthorized disclosure, use, and

dissemination of personally identifiable information regarding students; and

- Educate students about cyberbullying awareness and response and about appropriate online behavior, including interacting with other individuals on social networking Web sites and in chat room.

## **DEFINITION OF OBSCENE**

For purposes of this policy "obscene" shall mean any picture image, graphing image file, or other visual depiction that

1. Taken as a whole and with respect to minors, appeal to a prurient interest in nudity, sex, or excretion;
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, an actual or simulated normal or perverted sexual act, or a lewd exhibition of the genitals, and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

## **DEFINITION CHILD PORNOGRAPHY**

For purposes of this policy, "child pornography" shall mean any visual depiction including any photograph, file, video, picture or computer or computer generated image, or picture whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:

1. The production of such depiction involves the use of a minor engaging in sexually explicit conduct
2. Such visual depiction is a visual image, computer image, or computer generated image that is, or is indistinguishable from, that of a minor engaging in sexual explicit conduct or
3. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

## **FILTERING**

Department devices with access to the Department's network/Internet shall have filtering devices or software that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the federal Children's Internet Protection Act and as determined by the Superintendent or his designee, the Chief Information Officer. The Superintendent or designee shall enforce the use of such filtering devices. Upon approval from the Superintendent or designee, an administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purposes.

## **INTELLECTUAL PROPERTY RIGHTS**

See DME] Students shall retain all rights to work they create using the Department's electronic communications system.

## **EMPLOYEE RIGHTS**

[See DME]

## **EQUIPMENT**

The Department's equipment is not intended for the personal private use of any employee, and the Department retains the full right and ability to have unrestricted access to any such equipment at any time. Employees ensure that the division director or designee possesses a duplicate key for any equipment that employees may lock, or store in a locked area.

## **DIVISION ADMINISTRATOR RESPONSIBILITIES**

The director or designee of each division will:

1. Be responsible for disseminating and enforcing department policies and administrative regulations governing use of the Department's system in divisional offices.
2. Ensure that divisional employees using the system receive appropriate training to effectively and properly use the resources available.
3. Be authorized to monitor or examine divisional or system activities to ensure proper use of the system.
4. Ensure that all software has an accompanying license for the use of the software.
5. Ensure that the divisional users of the Department's system complete and sign the ***HCDE Acceptable Use Guidelines Agreement*** to abide by Department policies and administrative regulations regarding such use. All such agreements will be kept in the employee's personnel file maintained by the Human Resources division.

## **INDIVIDUAL USER'S RESPONSIBILITY**

The following standards will apply to all users of the Department's electronic information/communication systems:

1. The individual in whose name a system access account is issued will be held responsible for it at all times.
2. The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by Department policy, procedure or guideline.
3. System users may not redistribute copyrighted programs or data except with the written

permission of the copyright holder or designee. Such permission must be specified in the document or must be obtained directly from the copyright holder to design in accordance with applicable copyright laws, Department policy, procedure and administrative regulations.

4. System users may upload public domain programs to the system. System users may also download public domain programs for their own use or may non-commercially redistribute a public domain program. System users are responsible for determining whether a program is in the public domain.
5. System users may not send or post messages that are abusive, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
6. System users may not purposefully access materials that are abusive, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
7. System users may not waste Department resources related to the electronic communications system. System users will not post chain letters or engage in "spamming". Spamming is sending an annoying or unnecessary message to a large number of people.
8. System users may not gain unauthorized access to resources or information.
9. System users may not use the Department system for commercial purposes, defined as providing or selling goods or services for personal gain.
10. Students may not distribute personal contact information about themselves or others by means of electronic communication system, other than a Department approved email address.

## **VANDALISM PROHIBITED**

Any attempt to harm or destroy Department equipment or data, or data of another user of the Department's system, or any of the agencies or other networks that are connected to the Internet is prohibited. Deliberate attempts to degrade or disrupt system performance are violations of Department policy and administrative regulations and may constitute criminal activity under applicable state and federal laws. Such prohibited activity includes, but is not limited to, the uploading of or creating computer viruses.

***Vandalism*** as defined above will result in the cancellation of system use privileges and will require restitution for costs associated with system restoration, hardware or software costs, as well as other appropriate consequences.

## **INFORMATION CONTENT**

System users and parents of student with access to the Department's system should be aware that use of the system may provide access to other electronic communication systems in the global electronic network that may contain inaccurate and/or objectionable material.

## **THIRD-PARTY SUPPLIED INFORMATION**

A student who gains access to such material is expected to discontinue the access as quickly as possible and to report the incident to the supervising teacher.

A student knowingly violating these regulations will be subject to suspension of access and/or revocation of privileges on the Department's system and will be subject to disciplinary action in accordance with the Student Code of Conduct.

An employee knowingly violating these regulations will be subject to disciplinary action in accordance with Department policies.

## **NETWORK ETIQUETTE**

System users are expected to observe the following network etiquette:

1. Input information appropriately. Messages types in capital letters are the computer equivalent of shouting and are considered rude.
2. Use appropriate language. Swearing, vulgarity, ethnic or racial slurs, and any other inflammatory language are prohibited.
3. Do not pretend to be someone else when sending/receiving messages.
4. Do not transmit pornographic messages or pictures.
5. Do not use the network in such a way that disrupts the use of the network by other users.
6. Do not use "reply all" to messages that contain e-mail addresses that are considered confidential, private or inappropriate.

## **TERMINATION/REVOCAION OF SYSTEM**

### **USER ACCOUNT**

Termination of an employee's or student's access for violation of Department policies or regulations will be effective on the date the school principal or Department director receives notice of student or employee withdrawal or revocation of system privileges, or on a future date if so specified in the notice.

The Department's system is provided on an "as is, as available" basis. The Department does not make any

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

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

The Department will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the Department's electronic communication system.

## **RECORD RETENTION**

A Department employee shall retain electronic records, whether created or maintained using the Department's electronic communication/technology resources or using personal electronic communication/technology resources, in accordance with the Department's record management program. [See CPC]

## **ELECTRONICALLY SIGNED DOCUMENTS**

At the Department's discretion, the Department may make certain transactions available online, including student admissions documents, student grade and performance information, contracts for goods and services, and employment documents.

To the extent the Department offers transactions electronically, the Department may accept electronic signatures in accordance with this policy.

When accepting electronically signed documents or digital signature, the Department shall comply with rules adopted by the Department of Information Resources, to the extent practicable, to:

- Authenticate a digital signature for a written electronic communication sent to the Department;
- Maintain all records as required by law;
- Ensure that records are created and maintained in a secure environment;
- Maintain appropriate internal controls on the use of electronic signatures;
- Implement means of confirming transactions; and
- Train staff on related procedures as necessary.

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## *Policy Acknowledgment*

It is imperative that every employee at Harris County Department of Education be thoroughly familiar with the Department's policies.

It is the responsibility of each employee to read the entire policy manual within ten days of receiving this acknowledgement notice so that each employee will be able to obtain a full understanding of the requirements as it relates to employment with the Department. Please do not hesitate to request clarification on any item that you do not fully understand from your campus principal, supervisor, or the Executive Director of Human Resources.

I acknowledge that I have received a copy of this notice informing me of my responsibility to read and be familiar with the Department's policies. I further acknowledge that if I do not fully understand any item in the manual, it is my responsibility to seek clarification from my principal, supervisor, or the Executive Director of Human Resources.

\_\_\_\_\_  
Employee Name (*last, first*)

\_\_\_\_\_  
Division

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

## *Acknowledgement of Electronic Distribution of Personnel Policies*

I hereby acknowledge that I have been offered the option to either –

- Electronically access the Board Policies at [www.hcde-texas.org](http://www.hcde-texas.org) regarding employment as required under Education Code 21.204(d) and the Board policies regarding student discipline as required under Education Code 37.018.

**OR**

- To request to receive a paper copy of the Board Policies regarding employment as required under Education Code 21.204(d) and the Board policies regarding student discipline as required under Education Code 27.018 by contacting Human Resources

I acknowledge that I have been trained to access these policies and understand that if I have any questions regarding these policies, I should direct those questions to my principal, supervisor, or the Executive Director or Human Resources.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date





## Emergency Contact Information

*(please print)*

Name: \_\_\_\_\_ Employee No.: \_\_\_\_\_  
*Last, First*

Home Phone Number: (     ) \_\_\_\_\_ Cell Phone No: (     ) \_\_\_\_\_

Alternate e-mail Address (Non-HCDE): \_\_\_\_\_

### **In the event of an emergency, please notify:**

Name: \_\_\_\_\_  
*Last, First*

Phone: Daytime (     ) \_\_\_\_\_ Cell Phone No: (     ) \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **For Internal Use Only**

Human Resources Processor \_\_\_\_\_ Date \_\_\_\_\_





## Catastrophic Sick Leave Bank Donation Form

Continuing members may voluntarily donate up to three (3) days of sick/personal leave per school year to the Catastrophic Sick Leave Bank (CSLB) to maintain membership. To join, a new member must voluntarily donate three (3) days of sick/personal leave the first year. A member experiencing a catastrophic illness/injury may request paid time off when they have exhausted their sick, personal, and vacation leave. See HCDE Personnel Policies DEC (Local).

(please print)

Name: \_\_\_\_\_ Employee No: \_\_\_\_\_  
*Last, First*

Division: \_\_\_\_\_ Position: \_\_\_\_\_

I authorize the below listed contribution of sick/personal leave days to HCDE CSLB.  
I have met the ten (10) days of accumulated leave requirement.

- Continuing Member       1 Day       2 Days       3 Days
- New Member       3 Days

I am aware that the day(s) I contribute to the CSLB are non-refundable.

Thank you for your contribution.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Return this form to Human Resources.

For Internal Use Only:	
Employee Daily \$ _____ x _____ (No. of days donated) = \$ _____ Total	
Date Submitted to Payroll: _____	By: _____ HR representative





## Texas Government Code Section 552.024 Public Access Option Form

Pursuant to Texas Code 552.024 and 552.117 subsection (a)(1) HCDE employees and former employees have the right to choose whether to allow public access to their personal information held by HCDE. This personal information relates only to the person's home address, home telephone number, personal cellular phone number, Social Security Number, or information that reveals whether the person has family members. (Does not apply to phones issued to employees by the Department.) HCDE only discloses employee personal information when requested under the Texas Public Information Act (TPIA).

If the employee or former employee chooses not to allow public access to the information, the information is protected. If an employee or a former employee fails to state his or her choice within the above time period, the information is subject to public access; however, an employee or former employee may change the close access status of their information at any time by filling out the form below and returning to Human Resources.

Name of Employee: \_\_\_\_\_  
*(Please print)* *Last Name* *First Name*

Division: \_\_\_\_\_

Position: \_\_\_\_\_ Employee No.: \_\_\_\_\_

Once a selection of "yes" is made, the selection cannot be changed.

	Allow Public Access	
	Yes	No
<b>Please select yes or no.</b>		
Home Address	DO NOT FILL IN	
Home Telephone Number		
Personal Cellular Phone Number		
Social Security Number		
Information that reveals whether you have family members		
Emergency contact information		

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

[Note: This form should be completed and signed by the employee no later than the 14th day after the date the employee begins employment, the public official is elected or appointed, or a former employee or official ends employment or service.]





## Employee/Contractor Agreement for Electronic Communications and Acceptable Use Guidelines

As an employee of Harris County Department of Education, you have been given access to the Department's electronic communications system. With this opportunity comes responsibility. It is important that you read the Department policy, administrative regulations, and agreement form, and ask questions if you need help understanding them. Inappropriate system use will result in the loss of the privilege of using this educational and administrative tool.

Please note that the Internet is a network of many types of communication and information networks. It is possible that you may encounter material that is objectionable. The Department will take reasonable steps to restrict such material; however, it is not possible to prevent all such access. It is your responsibility as an employee to follow the rules for appropriate use.

### Rules for Appropriate Use

- The account is to be used mainly for business pertaining to HCDE, educational and/or professional development, HCDE clients, and communication with fellow employees. Personal use should be limited and non-disruptive to your work.
- You will be held responsible at all times for the proper use of your account. The Department may suspend or revoke your access if the rules are violated.

### Inappropriate Uses

- Using the system for any illegal purposes including but not limited to obscenity, libel, slander, fraud, defamation, plagiarism, harassment, forgery, illegal gambling, and computer tampering (e.g. spreading of computer viruses)
- Using another employee's account without permission
- Downloading or using copyrighted material without permission from the copyright holder
- Wasting Department resources through improper use of the computer system, such as "spamming" (posting chain letters)
- Copying, viewing, altering, or destroying data, software, documentation, or data communications belonging to HCDE or another individual without authorized permission
- Gaining unauthorized access to restricted information or resources

### Consequences for Inappropriate Use

- Temporary or permanent suspension of access to the HCDE system
- Disciplinary action according to applicable HCDE policies
- Legal action according to applicable laws and contractual agreements.

I hereby acknowledge that I have read and understand the Internet Acceptable Use Guidelines of Harris County Department of Education. I agree to abide by these guidelines and ensure that persons working under my supervision abide by these policies. I understand that if I violate such rules, I may face legal or disciplinary action according to applicable law or Departmental guidelines.

I hereby agree to indemnify and hold HCDE and its officers, trustees, employees, and agents harmless for any loss, damage, expense or liability resulting from any claim, action, or demand arising out of or related to the user's use of HCDE owned computer resources and the network, including reasonable attorney fees. Such claims shall include, without limitation, those based on trademark or service mark infringement, trade name infringement, copyright infringement, unfair competition, defamation, unlawful discrimination or harassment, and invasion of privacy.

Employee No: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**REQUEST FOR OUTSIDE EMPLOYMENT**

Employee Name:		Employee Number:		Date:
Division:		Position:		School Year:
Home Mailing Address:		City:	State:	Zip:
Home Phone:		Work Phone:		
<b>Place of Business</b>	<b>Scope of Duties</b>		<b>Duration</b>	
<b>Comments</b>				
Employee Signature:				Date:
Administrative Approval:				
<input type="checkbox"/> Approved <input type="checkbox"/> Denied		Director Signature:		Date:
<input type="checkbox"/> Approved <input type="checkbox"/> Denied		Superintendent or Designee Signature:		Date:
<b>Comments</b>				

Original: Supervisor  
File: Human Resources



## EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

### 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

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

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 a (1) 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 servicemembers and veterans are distinct from the FMLA definition of "serious health conditions".**

### 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 12 months, have 1,250 hours of service in the previous 12 months\*, and if at least 50 employees are employed by the employer within 75 miles.

### Definition of Serious Health Condition

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

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

### Use of Leave

#### 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 continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA 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 provided 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) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**

#### Additional Information

An employee may contact the U.S. Wage and Hour Division at 1-866-487-9243 TTY: 1-877-889-5627 or [www.wagehour.dol.gov](http://www.wagehour.dol.gov)





## HCDE EMPLOYEE ANNUAL GIVING FUND Election Form

- I would like to make a post-tax contribution totaling \$ \_\_\_\_\_ for the current school year to the HCDE Employee Annual Giving Fund through the Education Foundation of Harris County. I authorize Harris County Department of Education to take my contribution as a payroll deduction upon receipt of this selection.

*The total is divided equally by the number of pay periods remaining in the school year, ending July 31<sup>st</sup>*

- One payment at the beginning of the school year for \$ \_\_\_\_\_.

Please specify how you would like to designate the funds:

- Unrestricted (any public purpose)
- Restricted Funds [(identify specific purpose(s))] \_\_\_\_\_

Thank you for your generosity.

\_\_\_\_\_  
**Printed Name (First, Middle Initial, Last)**

\_\_\_\_\_  
**Signature/Date**

\_\_\_\_\_  
**Employee ID Number**

- I wish to remain anonymous.

HCDE, as a political subdivision of the state, is considered a charitable organization. All donations are tax-deductible to the fullest extent allowed by IRS law.

The Education Foundation of Harris County is a 501(c)(3) nonprofit organization that funds learning programs that support the work of the Harris County Department of Education and the public schools in Harris County.

Revised: 05/02/2023

## List of Suggested Purposes by Division/Program

Division	Purpose
Adult Education	GED Test fees; incentives for student retention; classroom technology upgrades; staff development; employee incentives for adult education retreat
CASE for Kids	Ecobot Challenge Team sponsor; CASE Debate Team sponsor; materials for CASE afterschool program
Center for Educator Success	Supplies for teacher and leader candidates, including classroom supplies, school supplies and professional books
Center for Safe and Secure Schools	Training scholarships; presenter fees
Head Start	Reading mentor project; Center lease operations; Center relocations; The Arts Show
Scholastic Art and Writing Awards	Student travel scholarships to accept national awards; community partnership awards
Schools	Vocational training; credit recovery: extra duty pay; school store incentives; drug intervention programs; Autism Centers; school bus; communication and transitional devices; afterschool programs; presenter/consultant fees; school supplies for Extended School Year program; professional development expenses for teachers and staff
School-based Therapy Services	Stipends for OT and PT students; incentives for mentors; therapeutic resources for children in need; development of tools/resources for school-based OT's and PT's; presenter fees

### **Guidelines for Contribution Use**

Funds are designed to support the division's current operations with the option to enhance programs while maintaining the total budget. These funds should reflect one-time, not long-term commitments, such as creating division positions.

#### **Acceptable Use of Employee Contributions:**

#### **Non-Acceptable Use of Employee Contributions**

▪ Support existing program budget	▪ Expansion of division/program budget
▪ Implement pilot projects	▪ Entertainment
▪ Client travel to award ceremonies	▪ Personal services
▪ Project materials and supplies	▪ Personal purchases
▪ Student educational excursions	▪ Items for personal birthday, anniversary, or retirement parties
▪ Contractual agreements for project implementation	▪ Gift cards
▪ Refreshments for program participants	



## Authorization Agreement for Direct Deposit

Email: HCDEpayroll@hcde-texas.org

Employee Number	Name (Last, First, MI.)	Contact Number
-----------------	-------------------------	----------------

### Primary Account Information

(Must provide Pre-printed Voided Check or Account Verification Form for each account)

New                       Change

Name of Financial Institution	
ABA Routing Number	Account Number <input type="checkbox"/> Checking <input type="checkbox"/> Savings

### Additional Account Information

(Payroll only)

New                       Change                       Cancel

Name of Financial Institution	Designated Amount \$
ABA Routing Number	Account Number <input type="checkbox"/> Checking <input type="checkbox"/> Savings

### Additional Account Information

(Payroll Only)

New                       Change                       Cancel

Name of Financial Institution	Designated Amount \$
ABA Routing Number	Account Number <input type="checkbox"/> Checking <input type="checkbox"/> Savings

### All pay and reimbursement vouchers will be sent via HCDE email.

I hereby authorize Harris County Department of Education to initiate credit entries to deposit my pay to the account(s) named above, and, if necessary, debit entries and adjustments for any credit entries in error. This authority is to remain in full force until terminated in writing.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Must be signed before processed)



## Instructions for Completion of Direct Deposit Form

Please note there will be a pre-note to your bank account to verify that the name matches the routing and account numbers entered into our system.

### **Routing/Transit Number:**

The routing number is the group of numbers located on the bottom left-hand side of your check. If a check is not available please have your bank provide documentation of your account number using the bank's account verification form.

### **Primary Account Information:**

If only one bank institution is selected, the entire net pay will deposited. **All** A/P reimbursements will be deposited to the primary account.

### **Additional Accounts:**

Additional account information allows for a designated dollar amount.

**Example:** If your net pay is \$1,500.00 and you designate \$100.00 to your secondary account and \$200.00 to your additional account then the balance of \$1,200.00 will be deposited to your primary account.

**Type of Account:** (Please check one box)  **Checking**  **Savings**

You may deposit into either a checking or savings account only. HCDE cannot deposit into loan accounts, IRA's, tuition accounts, etc...

**A pre-printed voided check, and or account verification must accompany this form to ensure the accuracy of bank routing and account numbers.**

If you need further assistance, please contact:  
HCDEPayroll@hcde-texas.org or Accountspayable@hcde-texas.org

## PORTABLE TECHNOLOGY FINANCIAL RESPONSIBILITY AGREEMENT

This agreement is entered into between Harris County Department of Education (HCDE) and you, an employee of HCDE, pursuant to Texas Education Code § 31.104(e). You, the employee, hereby assume financial responsibility for usage of portable technology equipment (i.e. laptops, smart phones, tablets, portable printers) and/or other resources (collectively, "equipment") usage of HCDE property or outside of an HCDE-sponsored event, in consideration for your ability to use the equipment for personal business. HCDE expects you to take care of the equipment and to return it without damage. Please carefully read this agreement and sign in the appropriate place below.

By signing this agreement, you are agreeing that you are taking custody of HCDE equipment as identified below and you agree to assume financial responsibility for such equipment. HCDE advises you to consider obtaining appropriate insurance for the equipment.

**YOU MAY HAVE SOME FINANCIAL RESPONSIBILITY FOR THE EQUIPMENT:**

- (1) if you do not return the equipment;
- (2) if you return the equipment in a damaged condition;
- (3) if you lose the equipment; or
- (4) if your carelessness allows the equipment to be stolen.

***Please make sure the information about each piece of equipment is correct on the form below.***

**By signing in the space at the bottom of this agreement, you are agreeing with HCDE as follows:**

In the event the equipment is not returned in good condition (allowing for reasonable wear and tear) or is lost, stolen, or damaged beyond repair, I authorize HCDE to deduct from my pay check the agreed value (purchase price less depreciation) of each amount due or in such installment amounts as agreed by HCDE and me.

### Condition of equipment/resource upon check out: New / Good / Needs Repair

Equipment	Purchase Price	HCDE Tag#	Division ID# (if applicable)	Date Out	Condition Upon Check Out

(List additional items on the back of this page and sign)

I have received the items listed above and I assume responsibility for the care and safe return of the items on the terms set out above.

Printed name of employee:	Division/Campus/Center:
Employee Signature:	Date:
Manager/Supervisor/Principal/Director:	Date:

**Condition of equipment upon check out: New / Good / Needs Repair**

Equipment	Purchase Price	HCDE Tag#	Division ID# (if applicable)	Date In	Condition Upon Return

(List additional items on the back of this page and sign)

**Comments:**

Employee Signature:

Date:

Manager/Supervisor/Principal/Director:

Date:

# LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

## FORM CIS

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

### OFFICE USE ONLY

Date Received

**1 Name of Local Government Officer**

**2 Office Held**

**3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code**

**4 Description of the nature and extent of employment or other business relationship with vendor named in item 3**

**5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).**

Date Gift Accepted \_\_\_\_\_ Description of Gift \_\_\_\_\_

Date Gift Accepted \_\_\_\_\_ Description of Gift \_\_\_\_\_

Date Gift Accepted \_\_\_\_\_ Description of Gift \_\_\_\_\_

(attach additional forms as necessary)

**6 AFFIDAVIT**

I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.

\_\_\_\_\_  
Signature of Local Government Officer

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said \_\_\_\_\_, this the \_\_\_\_\_ day  
of \_\_\_\_\_, 20 \_\_\_\_\_, to certify which, witness my hand and seal of office.

\_\_\_\_\_  
Signature of officer administering oath

\_\_\_\_\_  
Printed name of officer administering oath

\_\_\_\_\_  
Title of officer administering oath

## LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Please refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

### INSTRUCTIONS FOR COMPLETING THIS FORM

*The following numbers correspond to the numbered boxes on the other side.*

- 1. Name of Local Government Officer.** Enter the name of the local government officer filing this statement.
- 2. Office Held.** Enter the name of the office held by the local government officer filing this statement.
- 3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code.** Enter the name of the vendor described by Section 176.001(7), Local Government Code, with whom the officer has an employment or other business relationship as described by Section 176.003(a)(2)(A), Local Government Code.
- 4. Description of the nature and extent of employment or business relationship with vendor named in item 3.** Describe the nature and extent of the employment or other business relationship with the vendor in item 3 as described by Section 176.003(a)(2)(A), Local Government Code.
- 5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100.** List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed \$100 in value.
- 6. Affidavit.** Signature of local government officer.

# EMPLOYEE FIRST REPORT OF ILLNESS OR INJURY



Forward this document to:  
Jakeiesha Haynes, Risk Management Specialist  
Email: jakeiesha.haynes@hcde-texas.org / Fax: (713)696-0739

Name (Last, First) \_\_\_\_\_  Male  Female Employee no. \_\_\_\_\_

Social security no. XXX-XX-XXXX Date of birth XX-XX-XXXX Date of employment \_\_\_\_\_  
(to be completed by HR)

Race  White  Black  Asian Ethnicity  Hispanic  Native American  Other

Home Address (street, city, zip) \_\_\_\_\_

Home phone \_\_\_\_\_ Marital status  Single  Married  Divorced  Widowed

Spouse's name \_\_\_\_\_ Number dependent children \_\_\_\_\_

Does employee speak English?  Yes  No  Specify \_\_\_\_\_ Work day begins at (time): \_\_\_\_\_

Date of Illness/Injury \_\_\_\_\_ Time of Illness/Injury \_\_\_\_\_  am  pm

Date lost time began \_\_\_\_\_ Was employee doing regular job?  Yes  No

How and why illness/injury occurred \_\_\_\_\_

Part of body injured or exposed (ex. left leg) \_\_\_\_\_

Nature of Injury (ex. sprain) \_\_\_\_\_ Cause of injury (ex. hit by student) \_\_\_\_\_

Worksite location of injury (ex. stairs, playground) \_\_\_\_\_

Name of business/location and address where illness/injury occurred: \_\_\_\_\_

Has employee been exposed to bloodborne pathogens (BBP)?  Yes  No (If yes, complete Employee Exposure Incident Form In BBP manual.

Witnesses: (1) \_\_\_\_\_ (2) \_\_\_\_\_ (3) \_\_\_\_\_

Job title/position \_\_\_\_\_ Campus/division \_\_\_\_\_

Supervisor \_\_\_\_\_ Date supervisor informed \_\_\_\_\_

Supervisor's signature \_\_\_\_\_ Date \_\_\_\_\_

**Notice to employee** – For illnesses or injuries resulting in lost time, an employee shall indicate in writing whether he or she chooses to (1) receive workers' compensation wage benefits; or (2) use available paid leave. Workers' compensation wage benefits shall begin when (a) paid leave is exhausted, (b) the employee elects to discontinue use of paid leave; or leave payments are less than the employee's pre-injury average weekly wage. HCDE does not allow the offset payment option while an employee is out on workers' comp. In the absence of an indication from the employee regarding his/her choice to receive paid leave or workers' comp benefits, HCDE shall elect for the employee the option to receive workers' comp wage benefits (DEC Local). Workers' comp temporary income benefits (TIBs) begins no sooner than after a seven calendar day elimination period. TIBs are calculated to begin on the eighth day of lost time at a rate of 70% of the employee's pre-injury wage. HCDE does not provide pay for continuation during the elimination period. **Employees must provide a return to work release prior to returning to duty.** Employees may request in writing, consideration of an injury as physical assault (DEC Local). See HCDE personnel procedures, HCDE internal portal. Please select option and sign below.

(select one)

**I wish to use:**  personal – state or local  vacation leave  assault leave  I **do not** wish to use leave

I certify that the information contained in this report is true and correct. I understand that any falsification of information regarding an on the job injury may result in disciplinary action and/or prosecution under the appropriate State Criminal Statutes. I hereby authorize the release of all medical records relating to the above noted incident to my employer, his agent or insurance company.

Employee signature \_\_\_\_\_ Date \_\_\_\_\_



# Employee Acknowledgement of the Alliance Direct Contracting Program

I have received information that tells me how to get health care under my employer's workers' compensation coverage. If I am hurt on the job and live in a service area described in this information, I understand that:

1. I must choose a treating doctor from the Alliance list of doctors designated as treating doctors.
2. I must go to my treating doctor for all health care for my injury. If I need a specialist, my treating doctor will refer me. If I need emergency care, I may go to any licensed medical professional within the United States.
3. Even though my treating doctor should refer me to a specialist of providers contracted with the Alliance, I understand that I need to verify that the referral doctor is a member of the Alliance provider panel.
4. The Texas Association of School Boards Risk Management Fund will pay the treating doctor and other Alliance providers for all health care related to my compensable injury.
5. I understand that my medical and/or income benefits may be disputed if I receive health care from a provider other than an Alliance provider without prior approval from the Fund.
6. Making a false or fraudulent workers' compensation claim is a crime that may result in fines and or imprisonment.
7. If I want to change doctors after my first choice, I can do so within the first 60 days of starting treatment, and I can only choose from the Alliance list of providers. A third choice requires approval from my adjuster.

\_\_\_\_\_  
Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

I live at: \_\_\_\_\_  
Street Address City, State, Zip Code

Name of Employer: Harris County Department of Education  
Name of Direct Contracting Program: Political Subdivision Workers' Compensation Alliance (the Alliance)

Direct contracting service areas are subject to change. To locate a treating doctor within your area, visit the PSWCA web site at [pswca.org](http://pswca.org) or call your adjuster at 800.482.7276.

## To be completed by the employer only

Please indicate whether this is the:

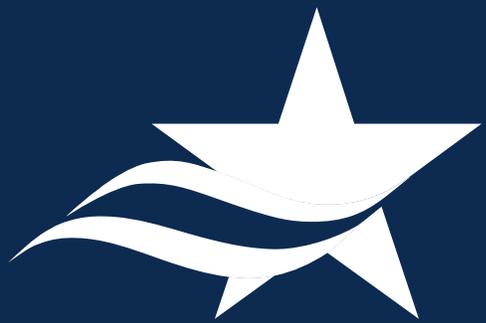
- Initial Employee Notification  
 Injury Notification (Date of Injury: \_\_\_\_/\_\_\_\_/\_\_\_\_)

**Do not return this form to the TASB Risk Management Fund unless requested.**





It is the policy of Harris County Department of Education not to discriminate on the basis of race, color, national origin, gender, limited English proficiency, or handicapping condition(s) in its programs.



**Harris County**  
Department of  
**Education**

6300 IRVINGTON BLVD. | HOUSTON, TX 77022 | 713-694-6300 | [WWW.HCDE-TEXAS.ORG](http://WWW.HCDE-TEXAS.ORG)