

Welcome to School Year **2021-2022**



**Thank you to every educator for all of your hard work and dedication
to our students and community.
We look forward to another successful school year!**

Recognizing our American Veterans



Lorraine N. Campos,
United States Navy

Daniel Kafka,
United States Marines

A Moment of Silence

Jose M. Lara,
United States Navy

Jay Viera,
United States Marines

Maria N. Rincon,
United States Army



EMPLOYEE HANDBOOK

Office of Human Resources

August 2021

Elizabeth A. Stenhouse

Dress and Grooming

- 1) **M/W** Dress in a clean, neat, and professional manner
- 2) **M/W** Serve as your students' role model for professional dress
- 3) **M/W** Jeans allowed on Fridays, field days, work days, and pre-designated days. Only with District/campus shirts/polos
- 4) **M/W** Jeans – no torn, faded, tight, low rise, saggy, or skinny jeans

Dress and Grooming

- 5) W** No bare-back/strapless, off the shoulder blouses. Sleeveless tops must be worn with jacket or sweater. Skirts/dresses must fall at the top part of the knee cap
- 6) M/W** No thong-type sandals will be allowed
- 7) M** Hair not longer than the top collar of your shirt/polo

Dress and Grooming

- 8) M/W** No caps/hats unless on designated days
- 9) M/W** No shorts unless on designated days and must be 2 inches above the knee. No running shorts (mid-thigh) allowed
- 10) M** Shirts with tails must be tucked in
- 11) M** No Earrings

Dress and Grooming

- 12) M/W** Tattoos covered at all times
- 13) M/W** Capri pants must reach mid-calf, no cargo pants
- 14) M/W** No tight leggings, spandex, jeans, slacks, or skirts
- 15) M** Slacks, buttoned shirts, polo/golf shirts, sweaters, ties, boots, dress/casual shoes
- 16) W** Slacks, buttoned shirts, polo/golf shirts, sweaters, dresses, casual shoes, heels, sandals with straps

Professional Attire is required for Remote Learning

Certification

- Professional, paraprofessional certifications and drivers license must be up to date. The Office of HR will assist in notifying you ahead of time via email as a reminder
- Educators attending an Alternative Certification Program (ACP) must be in contact regularly with the AC Program for complying with testing dates, obligations to the ACP

Notifications to Parents

- An annual required notice is posted on the website under the HR Dept. for the Notification to Parents of Highly Effective Educators
- Parents and the community may request the certification of an educator, administrator or paraprofessional in the District for verification under a Public Information Request (PIR)

Family Medical Leave

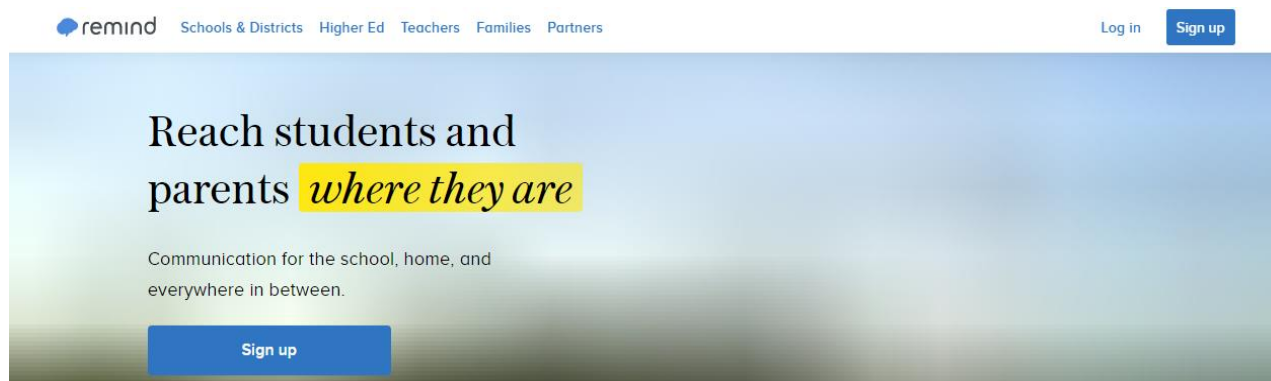
- If you are expecting to be out due to surgery, maternity, family member care, or Military Duty please contact the Office of HR to discuss Family Medical Leave
- For emergency medical leave due to FMLA (Covid-related), contact Nurse Kafka and HR for guidance

Standards of Conduct

- Educators Code of Ethics, which all District employees must support, are included in the handbook and online policy for your professional career responsibilities
 - ▣ Professional Ethical Conduct, Practices, and Performance
 - ▣ Ethical Conduct toward Professional Colleagues
 - ▣ Ethical Conduct toward Students

Electronic Communications

- Personal Use of Electronic Communications
- Electronic Communications between Employees, Students, and Parents
 - Employees are held to the same professional standards in their public use of electronic media as they are for any other public conduct
 - Remind.com assists educators to communicate with students without issuing personal cell phone information



Criminal History Background Checks & Employee Arrests and Convictions

- All full and part time employees when hired go through a background check and through HR will be subscribed to the DPS Fact Clearinghouse
- If you are arrested, you must notify your campus/departement administrator within three (3) calendar days as per Policy DH

Alcohol and Drug-Abuse Prevention & Tobacco Products/E-Cigarette Use

- Santa Maria ISD is committed to maintaining an alcohol and drug free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related activities on or off school property and District vehicles
- Employees violating the drug free policy will be suspended or terminated
- State Law prohibits smoking, tobacco use, e-cigarettes on district property, and in District vehicles

Possession of Firearms and Weapons

- Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs, or other prohibited weapons onto District grounds. Report it immediately to District Administration or call 911

Common Procedures

▣ Name and Address Change

Address and name change form is available on the District website under the Office of Human Resources. Name change must have the updated SSN and DL, a new I9 Employment Eligibility Form will be added by the Office of HR

▣ Personnel Records

Loan companies who contact the Office of HR for financial information via phone, fax, or email will not be granted without the permission of the employee. It is a strict guideline of HR to protect the personal information of each employee

Resignation Procedure

- Resignations
 - Resignations are not accepted through the phone or email, they are in person
 - Resignations are on a case by case basis
 - Employees who are released will return all district property to their campus/department before service records are released to the next district

Reports to Texas Education Agency

- Sexual misconduct, romantic relationships, or physical abuse of a minor or any other unlawful conduct with a student or minor from this or any other school District
- Possession, transfer, sale, or distribution of a controlled substance
- Illegal transfer of expenditures of District property or funds
- Altering certifications, falsifying records
- Committing a criminal offense on District property





SEXUAL DISCRIMINATION TITLE IX & TITLE VII

Office of Human Resources

Elizabeth A. Stenhouse

Sexual Discrimination

Sexual harassment is legally defined by the United States Department of Education (*Friday, August 14, 2020*) as:

Sexual Discrimination

- 1) It must be unwelcome
- 2) It must be sexual in nature

There are two types of sexual discrimination...

1. Quid Pro Quo

2. Hostile Environment

A quid pro quo is when an individual in a position of authority offers an employee or student a benefit in exchange for a sexual favor

A hostile environment is created when unwelcome advances or conduct have the effect of interfering with the performance of duties or creating an intimidating, hostile, or otherwise offensive work or learning environment

“Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity.”

U.S. Department of Education

Types of Sexual Discrimination

Staff-to-student

Staff-to-staff

It does not matter whether the programs or activities occur on campus or off campus

Examples of Conduct for Sexual Discrimination

- Offensive gestures or noises
- Sexist statements
- Looking at a person's body instead of his/her eyes
- Asking permission to hug or kiss individuals
- Mocking individuals or aggravating comebacks
- The F*** word (can lead to automatic termination)
- Emoji's that are sexually suggestive
- "Grooming" a student or colleague

Examples of Conduct for a Hostile Environment

- Obstruction of someone's movements, such as blocking them from leaving their office or classroom
- Sexual, racist, or otherwise inappropriate joking
- Mocking, teasing, or inappropriate actions towards someone on the basis of Title VII and Title IX (gender, race, or religion)
- Aggressive behavior towards another employee
- Starting rumors or elaborating on gossip
- Degrading individuals on work performance or ridiculing in public



SMISD Employee,

This letter serves as official notification that you are being placed on **administrative leave** from your duties with the Santa Maria Independent School District **effective immediately**

In the best interest of the District, you are being placed on Administrative leave, pending the outcome of an **investigation** into **allegations concerning...**

Sexual Discrimination

Legal Action

- The employee will face all financial obligations
- If convicted, the employee will lose certification and TRS retirement annuity
- Parent(s) of the student(s) alleging misconduct will receive a district letter acknowledging the allegation (*Policy FFF*) and corresponding documentation will be sent to the Texas Education Agency (TEA) Investigation Department (*Policy DHB*)
- TEA will place an Under Review/Sanction on the certification and will not be eligible for re-hire at another school district

The key word is UNWELCOME

- Tell the individual that the conduct is unwelcome
- If the behavior continues beyond that point, then it is sexual discrimination that will be pursued
- A formal complaint is a document filed by a complainant and signed by the Title IX Coordinator alleging sexual discrimination against a respondent and thus requires the district investigate the allegations of sexual discrimination
- After the investigation is completed, the complainant and respondent have an opportunity to appeal the decision with other designated employees of the district

Email & Electronic Communication

- Emails and Text messages can be used for investigative purposes
- Use professional language and when you receive an email or text that seems aggressive or before you send the communication, call the sender and ask or respond for clarification
- Do not start an “email or text war” because these communications can resurface in the event of a district investigation
- Be careful with Emoji's — 😊 😐 😱 😞 😎
 - ▣ Emoji's are different on every mobile phone system, they may look one way to you, but can change on another phone

Board Policy DH

Board Policy DH (Local)*

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

An employee shall notify his or her supervisor when a student engages in improper electronic communication with the employee.

An employee shall not be required to disclose his or her personal email address or personal phone number to a student.

Prevention of Accusation

- Educate yourself
- Be perceptive and professional when interacting with others
- Keep actions job-related
- Avoid gossip and elaborating on rumors
- Avoid personal and social media relationships with students and colleagues
- Never be alone with a student
- Respect generation gaps

A District and Administrator will face SBEC** Reporting when
the administrator acts with
Deliberate Indifference

**State Board for Educator Certification

Deliberate Indifference

1. Learned of facts or a pattern of behavior which points toward the student is being abused
2. Fails to take action which is necessary to prevent or stop the abuse, which results in a injury to the student, parents, community, or the district
3. Superintendents and Principals, who fail to report teacher misconduct, now face \$10,000 fine, jailed for two years, SBEC Certification will be revoked, and TRS annuities will be void

What do I do if I see something I shouldn't have or I need help?

If you see it happening, write a statement via email or in writing and submit the original to your campus/department administrator

Be familiar with District policy

Document that you have reported the sexual discrimination to your administrator and keep documentation for yourself

Documentation/Employee Conference Form



SANTA MARIA INDEPENDENT SCHOOL DISTRICT EMPLOYEE CONFERENCE

EMPLOYEE _____ DATE _____

Today a conference was held with the above named employee concerning the matters which are indicated. A summary of this conference is stated.

Do Not Hire Registry

- The DO NOT HIRE REGISTRY was approved by House Bill 3 and opened January 2020 and is accessible to all school district HR Departments
- A public website is available at the link:
 - <https://tea.texas.gov/texas-educators/investigations/do-not-hire-registry>
- The registry for districts contains every educator that has been reported to SBEC for misconduct from 1970 to present and their status for districts



TITLE IX



Title IX of 1972

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education programs or activity receiving federal financial assistance.”

Purpose of Title IX

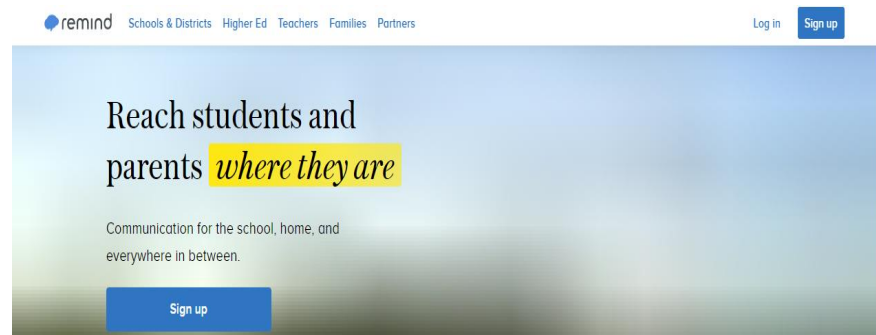
- Initially intended to equalize athletic participation and funding between the genders

Title IX represents:

- Inequality in sports
- Discrimination in facilities/programs by schools based upon sex
- Hygiene facilities and athletic equipment
- Employment Sex/Gender
- Transgender Discrimination
- Sexual Orientation Discrimination
- Sexual Discrimination

Social Media

- Be extremely careful with social media **and including students**. We do not discourage you from having accounts with the social media accounts, however, they are able to be viewed by students, parents, administrators and employees. Do not follow students on their accounts, either
- Student Teachers are also subject to dismissal from their teaching careers
- Refrain from posting alcoholic drinks and explicit language



Who can report Sexual Discrimination and How

- Anyone can report Sexual Discrimination
- Reporting can be in any form. This includes an email, phone call, or a visit to the HR
- There is a Title IX Document Form on the HR website page as a guide to help with details:

Title IX of the Education Amendments of 1972
20 U.S.C A§1681 et seq

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

[2021-2022 TITLE IX EXHIBIT AND POLICY](#)
[2020-2021 TITLE IX EXHIBIT AND POLICY](#)
[2019-2020 TITLE IX EXHIBIT AND POLICY](#)

[TITLE IX DOCUMENT FORM](#)

[DIA LOCAL \(EXHIBIT\)](#)
[DIA LOCAL \(POLICY\)](#)

School District of Santa Maria Title IX Team*

(Policy DIA, FB, FFH, FFI)

- Martin Cuellar, Title IX Coordinator
Superintendent of Schools
- Elizabeth A. Stenhouse, Title IX Coordinator & Investigator
Human Resource Specialist
- Rene R. Salinas, Facilitator
Student Services Coordinator
- Jay Viera, Decision-Maker
Principal, Santa Maria High School
- Salvador Acosta, Appellate Decision-Maker
Federal Programs Director

Central Administration
11119 Military Hwy/PO Box 448
Santa Maria, Texas 78592
956-565-6308
HR@SMISD.NET

*Revised Regulations – Friday, August 14, 2020



TITLE VII

The Civil Rights Act of 1964 is a federal law that prohibits employers from discriminating against employees on the basis of:

- Sex (Gender)
- Race
- Color
- National origin
- Religion
- Retaliation
- Disability

2020 Enforcement and Litigation Data

- The U.S. EEOC stated these breakdowns for the 37,632 charges of workplace discrimination
 - ▣ Race 32.7%
 - ▣ Color 5.3%
 - ▣ National Origin 9.5%
 - ▣ Religion 3.6%
 - ▣ Retaliation 55.8%
 - ▣ Disability 36.1%

Sexual Discrimination
31.7% of charges
(21,398 cases)

