



**Hidalgo County Head Start Program
Confidentiality Policy
Head Start Program Standard(s) 1303.20 – 1303.23**

1. Confidentiality means keeping what parents and family members share with the Hidalgo County Head Start Program staff private. Any written or oral information given by families must be kept strictly confidential, unless parent authorizes its release in writing, to include what information needs to be shared with staff.

Staff must not share written or oral information with co-workers, parents or volunteers. Only relevant-information should be shared with the Center Manager and/or Administrative Staff.

- a. The Hidalgo County Head Start Program’s “Parent/Guardian Permission to Request or Release Confidential Information”, will be utilized when necessary.
2. All child/family records must be kept in a locked file cabinet at all times and only the Center Manager and one other designated employee shall have access to the keys. Parents and volunteers are prohibited from viewing any records except their own.
3. Classroom staff is allowed to view and document on the child/family records, only for specific purposes.
4. The Hidalgo County Head Start Program is an agency that is subject to the confidentiality provisions under the Family Educational Rights and Privacy Act (FERPA) and must comply with such confidentiality provisions of FERPA.
5. The Hidalgo County Head Start Program serves children who are referred to, or are found eligible for services under, IDEA, and as such must comply with the applicable confidentiality provisions in Part B or Part C of IDEA to protect the Personal Identifiable Information (PII) of those children.
6. ALL INFORMATION IN RELATION TO THIS POLICY MUST BE KEPT IN THE STRICTEST CONFIDENCE; FAILURE TO ADHERE TO THIS POLICY WILL BE SUBJECT TO EMPLOYMENT DISCIPLINARY ACTION, INCLUDING SEPARATION FROM EMPLOYMENT.

I, _____, acknowledge receipt of, and have read and understand the Hidalgo County Head Start Program Confidentiality Policy.

Employee Name (Please Print)

Date Received

Employee Signature

Policy Council Approval: 6/21/2017
Grantee Board Approval: 6/27/2017



**Hidalgo County Head Start Program
Confidentiality Policy
Head Start Program Standard(s) 1303.20 - 1303.23**

I, _____, have been informed of the specifics of Hidalgo County Head Start Program's Confidentiality Policy, State and Federal Regulations governing the confidentiality and disclosure of any parent and/or staff information including demographic information, financial information, social or referral information, involvement in outside services, status or records.

I understand the confidentiality policy, and how it can be broken. I understand that when I am making a referral, I am protecting confidential information by speaking only to pertinent people who are responsible for receiving a referral. I understand that I only disclose the pertinent information when making a referral. I understand that I do not discuss referrals or parent status with others.

I agree to follow this policy, and to conduct myself in a professional and ethical manner at all times. I understand that misconduct and/or breaches of confidentiality will be grounds for disciplinary action, including dismissal.

Employee Name (Please Print)

Date Received

Employee Signature



HIDALGO COUNTY HEAD START PROGRAM
VACCINE PREVENTABLE DISEASE POLICY
Minimum Standards §746.501(27), §746.3609, §746.3611
Senate Bill 64 of the 83rd Legislature
Law Information for Parents

What is a vaccine-preventable disease?

A vaccine-preventable disease is a disease that is included in the most current recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention. (MS 746.3609)

Policy Purpose

The purpose of this policy is to protect the health and safety of the Hidalgo County Head Start Program children, employees, employee's family members, and the community as a whole from vaccine preventable diseases and to comply with all standards and state laws.

Policy Statement

The Hidalgo County Head Start Program requires that all employees upon employment and thereafter every three years must have in accordance with Performance Standard 1302.93 (a):

- A current TB Test; and
- A current Health Appraisal

Employees will monitor their health status and comply with appropriate infection control standards. Any employee that elects to get any recommended vaccines listed on the recommended Adult Immunization Schedule thru available health fairs or medical provider may voluntarily submit a copy of their documentation to the personnel department and keep a copy for their records.

It is the policy of the Hidalgo County Head Start Program that all employees working in the Hidalgo County Head Start Program **will not** be required to participate in receiving any vaccines following the recommended Adult Immunization Schedule.

Policy Procedures and Implementation:

The Hidalgo County Head Start Program will ensure that our policy protects children from vaccine-preventable diseases by including the following procedures: (MS 746.3611)

1. Listed are the specific vaccines that have been determined that all employees must have for vaccine-preventable diseases.
 - Not applicable
2. Requirements for employees to receive each specified vaccine that they are not exempt from.
 - Not applicable
3. Verification of compliance with policy.
 - The program will monitor that all employees have an initial health appraisal that includes screening for tuberculosis upon employment and thereafter every three years.
4. Procedures employees for an employee to be exempt from having required vaccine.
 - Not applicable

Policy Council Approval: 6/21/2017
Grantee Board Approval: 6/27/2017



HIDALGO COUNTY HEAD START PROGRAM SANITATION AND INFECTION CONTROL POLICY

1. With the present day knowledge of infection, one must consider all children, regardless of history or appearance, to harbor potentially contagious illnesses. Hygiene policies are designed to protect the caretaker, the children, and to prevent spread of infections to others.
2. Direct contact with body fluids (urine, feces, vomit, blood, nasal discharges, saliva) is potentially dangerous and must be avoided. Always wear gloves when such contact is anticipated, i.e. when cleaning a scrape, changing a diaper or even wiping a nose. Contaminated articles are to be disposed of in the appropriate red to red-orange bag with a biohazard emblem displayed on the bag. The bag must weigh at least 100 ml.
3. Always wear gloves when cleaning an area contaminated by the above mentioned body fluids.
After soap and water clean-up, disinfect the area by wiping down with a bleach solution (1 part bleach to 10 parts water).
4. To avoid the spread of infection, always use items such as wash cloths, only on one child. Also, always remove gloves after contact with potentially infectious body fluids, washing hands thoroughly with soap and water before donning fresh gloves and moving on to a different child.
5. Any child presenting to a Hidalgo County Head Start Center a known chronic contagious illness will be individually evaluated by the child's physician and representatives from the staff of both Hidalgo County Head Start and the Hidalgo County Health Department. A decision will be made by the group concerning admission and to list any special care requirements. The evaluation will determine the outcome or specify and special care requirements.
6. All Head Start personnel, including Head Start volunteers are covered by these standards during Head Start related activities.

7. If an employee or volunteer is exposed to a blood borne pathogen during work, Head Start will make available to the employee or volunteer, at no cost, a laboratory test by an accredited laboratory. There will be a follow-up confidential medical evaluation documenting the circumstances of the exposure. Head Start will offer counseling after an exposure incident.

8. Employee training about blood borne pathogens will be made upon assignment and annually thereafter. Head Start will review and update the plan at least once a year.

I, _____, acknowledge receipt of, and have read and understand the Hidalgo Count Head Start Program Sanitation and Infection Control Policy.

EMPLOYEE SIGNATURE: _____

DATE: _____

PERSONNEL DIRECTOR'S SIGNATURE: _____

DATE: _____



Hidalgo County Head Start Program Child Maltreatment Policy

Child Maltreatment Policy Review

Hidalgo County Head Start Program (HCHSP) along with the Health Services Advisory Board shall establish an annual review of the policies for "prevention, recognition, and reporting of child maltreatment. The policy shall follow the requirements of **Family Code Chapter 261** and shall be consistent with **Hidalgo County Head Start Performance Standard - Safety Practices 1302.47 (B)(5)(I) and 746.1303, 746.1309 and 746.1311** regarding investigations by the Texas Health and Human Services – Minimum Standards for Child Care Centers, including regulations governing investigation of abuse by school personnel and volunteers. Child maltreatment constitutes all forms of child abuse including physical abuse, emotional ill-treatment, sexual abuse, neglect, negligent treatment and exploitation of children, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

Persons Required to Conduct Reports

A person who has cause to believe that a child's physical or mental health or welfare has been adversely affected by child maltreatment by any person shall immediately make a report to the appropriate authority as required by law. **Ref: Family Code 261.101 (a)**

The [Texas Family Code 261.101](#) requires professionals to make a report within 48 hours of first suspecting child maltreatment such as physical abuse, emotional ill-treatment, sexual abuse, abuse, neglect and exploitation of children that may result in actual or potential harm to the child's health, survival, development or dignity in context of a relationship or responsibility, trust or power; if a professional has cause to believe that a child has been or may be a victim of child maltreatment or is a victim of indecency with a child, as described in **Penal Code 21.11**. A professional may not delegate to or rely on another person to make the report. **Ref: Family Code 261.101 (b)**.

Every HCHSP employee, agent, or contractor who suspects child maltreatment, must submit a written or oral report to the appropriate authorities listed in the **Where To Report** section contained in this policy.

Information In Report

The report shall contain, if known, the name and address of the child, the name and address of the person responsible for the care, custody, or welfare of the child, if available, and any other pertinent information concerning the alleged or suspected abuse or neglect. **Family Code 261.104**

Where To Report

All reports shall be submitted to:

1. Child Protective Services division of the Texas Department of Protective and Regulatory Services: **1-800-252-5400** or www.dfps.state.tx.us.
2. TDFPS – Child Care Licensing will be notified if the alleged child maltreatment occurs at a Head Start facility **Ref: Family Code 261.103**
3. If the report is an emergency call 911 or your local law enforcement agency.

Immune From Liability

All reports of child maltreatment are confidential and you are protected from civil or criminal liability as long as the report is made in "good faith" and "without malice". **Ref: Family Code 261.106.**

- **"Good faith"** means the person making the report took reasonable steps to learn facts that were readily available and at hand.

Policy Council Approval: April 17, 2019



Hidalgo County Head Start Program Child Maltreatment Policy

- “**Without malice**” means that the person did not intend to injure or violate the right of another person.

Failure To Report

A person commits a Class B misdemeanor if he or she has cause to believe that a child’s physical or mental health welfare has been or may be adversely affected by abuse or neglect and knowingly fails to report as provided by law. **Ref: Family Code 261.109**

An employee who coerces another into suppressing or failing to report child abuse or neglect to a law enforcement agency a Class C misdemeanor offense. **Ref: Penal Code 39.06**

Reporting Requirements

The HCHSP staff will cooperate with law enforcement child maltreatment investigations without the consent of the child’s parents if necessary, including investigations by the Department of Protective and Regulatory Services.

The policies on child abuse reporting shall:

1. Ensure that all HCHSP staff cooperate and **not interfere** with an investigation of a report of child maltreatment; and:
 - HCHSP staff **cannot deny** a CPS investigator’s request to interview a student at a center, and
 - HCHSP staff **cannot require** the presence of a parent or Center Manager or administrator during an interview by a CPS investigator.
2. Ensure that all reports of suspected child maltreatment shall remain confidential and any disciplinary action that resulted from noncompliance with the reporting policy; and
 - HCHSP staff **is not required** to first report suspicions of child maltreatment to a Center Manager or administrator prior to making a report to one of the appropriate agencies listed above.

Training Requirements

The HCHSP will provide training to all Head Start staff a minimum of one (1) hour of annual training focused on prevention, recognition, and reporting child maltreatment, including 746.1311 (c)

1. Factors indicating a child is at risk for abuse and neglect;
2. Warning signs indicating a child may be a victim of abuse or neglect;
3. Procedures for reporting child abuse or neglect; and
4. Community organizations that have training programs available to employees, children, and parents.

Annual Review and Distribution

The program’s policies regarding child abuse and neglect shall be distributed to all personnel at the beginning of each school year. The HCHSP Health Advisory Committee and Policy Council shall also review the policies annually.

Policy Council Approval: April 17, 2019



Hidalgo County Head Start Program Child Maltreatment Policy

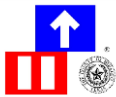
I _____, acknowledge receipt of, and have read and understand the Hidalgo County Head Start Program Child Maltreatment Policy.

Employee Name (Print) Date

Employee Signature Date

Human Resource Signature Date

Employee ID #



Hidalgo County Head Start Program Policies and Procedures

System/Service Area: Administration	Subject: Reporting Child Health and Safety Incidents
Related Regulation(s): 1302.102(d)(1)(ii); ACF-IM-HS-22-07	
Related Forms: Employee statements, interview notes, video	Related Reports: Incident Report
PC Approval: 10/19/2022	Board Approval: 11/01/2022
PC Revision:	Board Revision:

Policy:

The Hidalgo County Head Start Program (HCHSP) places the utmost priority on child health and safety and is committed to continuous quality improvement and will continue to provide support and guidance in preventing incidents that jeopardize children's safety. HCHSP places the utmost priority on child health and safety. Preventing significant incidents that affect children's health and safety in HCHSP is the responsibility of all staff, volunteers, and contractor's responsibility. HCHSP is committed to continuous quality improvement and will continue to provide support and guidance in preventing incidents that jeopardize children's safety.

Time Frame: Immediately upon incident occurrence

Person(s)

Responsible: All Staff
Center Manager or (designee)
Compliance/Monitoring Director
Assistant Program Director
Administrator for Human Resources
Executive Director

Procedure:

The Hidalgo County Head Start Program is required to submit reports to the Office of Head Start (OHS) Program Specialist assigned to the Program, immediately or as soon as practicable, any "significant incidents" affecting the health and safety of children enrolled in Head Start.

Immediately or as soon as practicable refers to without delay, but no later than seven calendar days following the incident. Failure to report a significant incident within seven calendar days from the time of the incident will result in the Program receiving a monitoring finding, which may include a deficiency determination.

A "significant incident" is considered to be any incident that results in serious injury or harm to a child, violates Head Start Standards of Conduct **1302.90(c)**, or results in a child being left alone, unsupervised or released to an unauthorized adult. Significant incidents include:

- **Child injuries that require either hospitalization or emergency room medical treatment**, such as a broken bone; a severe sprain; chipped or cracked teeth; head trauma; deep cuts; contusions or laceration; or animal bites.
- **Inappropriate discipline**, which is any type of conduct used to instill fear or humiliate rather than to educate a child, such as poking or pinching a child; making fun of or laughing about a child; using/withholding food or an activity as a punishment or reward; or isolating a child.
- **Potential child abuse and maltreatment**, such as grabbing, shoving, shaking, swatting, or dragging a child; spanking or any other type of corporal or physical punishment; binding, tying, or taping a child; terrorizing a child with threats or menacing acts; or any form of sexual contact.

- **Lack of supervision** while in the care or under the supervision of program staff, which includes leaving a child alone anywhere on the grounds of a Head Start facility (e.g., in a classroom, bathroom, on a playground), as well as outside the facility in a parking lot, on a nearby street, or on a bus or another program-approved transportation or excursion.
- **Unauthorized release** where a child is released from a Head Start facility, bus, or other approved program transportation to a person without the permission or authorization of a parent or legal guardian and whose identity had not been verified by photo identification.

Reporting Procedure:

- Persons involved in or observing the reportable incident **must immediately** notify the Center Manager or person in charge of the facility (designee) and, report incident to Child Care Licensing.
- The Center Manager or designee will notify the parent/guardian of the child in question regarding the incident immediately or as soon as practicable.
- Program staff will provide support as necessary to child and family to ensure mental health, social and emotional well-being, and overall health.
- Center Manager or designee **will immediately** notify the Compliance/Monitoring Director, who will secure all the supporting documentation/information regarding the incident (center where incident occurred; child’s name; staff member involved; incident in detail) and submit the report to the Assistant Program Director.
- The Compliance/Monitoring Director will request from the MIS department the video playback of the incident wherever cameras are available.
- The Assistant Program Director and Administrator for Human Resources will investigate the incident, interview all persons involved, and gather all pertinent documentation needed to determine the root of the problem, and make an informed decision for corrective action, to include, but not limited to, additional staff development.
- The Assistant Program Director will submit a written report to the Executive Director to determine whether the incident meets the requirements of reporting the incident to the OHS Program Specialist assigned to the Program. If the incident meets the requirements of the Reporting Child Health and Safety Incidents Policy, the Executive Director will report to the assigned OHS Program Specialist within seven (7) calendar days.
- The Executive Director will notify the Policy Council and the Grantee Board (Commissioners’ Court) of the incident.

EMPLOYEE POLICY VERIFICATION:

I _____, acknowledge receipt of, and have read and understand the Hidalgo County Head Start Program Reporting Child Health and Safety Incidents Policy.

Failure to comply with the Reporting Child Health and Safety Incidents Policy will result in disciplinary action including separation from employment.

Print Name

Employee ID#

Employee Signature

Date

Check the appropriate designation:

- _____ 1. Employee/Caregiver
- _____ 2. Parent
- _____ 3. Volunteer
- _____ 4. Consultant, Contractor, or School District Employee



Hidalgo County Head Start Program
SUPERVISION OF CHILDREN POLICY

Texas Department of Human and Health Services - Minimum Standards 746.1205
and Head Start Program Standard 1302.90 (c)(1)(v)

The Hidalgo County Head Start Program will ensure all staff, consultants, contractors, and volunteers implement the necessary strategies so that no child is left alone or unsupervised while under their care. {Head Start Program Standard 1302.90 (c)(1)(v)}

The Office of Head Start requires that everyone shares responsibility for keeping children safe. The Grantee staff must ensure that “no child will be left alone or unsupervised while under their care.” (45 CFR 1304.52 (i)(1)(iii))

Active supervision of children at all times means that the assigned caregiver is accountable for each child’s care. This includes responsibility for the ongoing activity of each child, appropriate visual and/or auditory awareness, physical proximity and knowledge of activity requirements and each child’s needs. The caregiver must intervene when necessary to ensure children’s safety.

The caregiver must use Active Supervision:

- (1) Know the child’s abilities;
- (2) Establish clear and simple safety rules;
- (3) Scan for potential safety hazards;
- (4) Focus on the positive rather than the negative to teach a child what is safe for the child and other children.
- (5) Teaching the children the appropriate and safe use of each piece of equipment.

Failure to comply with the Supervision of Children Policy will result in disciplinary action including separation from employment.

I, _____, acknowledge receipt of, and have read and understand the Hidalgo County Head Start Program Supervision of Children Policy.

Print Employee Name

Employee ID #

Employee Signature

Date

- Check the appropriate designation:
- 1. Employee/Caregiver
 - 2. Parent
 - 3. Volunteer
 - 4. Consultant, Contractor, or School District Employee

Policy Council Approval: 6/21/2017
Grantee Board Approval: 6/27/2017



**HIDALGO COUNTY HEAD START PROGRAM
DISCIPLINE AND GUIDANCE POLICY
Head Start Program Standard 1302.90 (c)
TDHHS – Minimum Standards for Child-Care Centers
746.2803 and 746.2805**

The Hidalgo County Head Start Program will ensure all staff, consultants, contractors, and volunteers implement positive strategies to support children’s well-being and prevent and address challenging behaviors so that children are not maltreated or have their health and safety endangered. **(HS Program Standard 1302.90 (c)(1)(i)(ii)(A-I); Minimum Standards 746.2803 and 746.2805)**

Discipline must be (Minimum Standard 746.2803):

- (1) Individualized and consistent for each child;
- (2) Appropriate to the child’s level of understanding; and
- (3) Directed toward teaching the child acceptable behavior and self-control, and
- (4) A positive method of discipline and guidance that encourages self-esteem, self-control, and self-direction, including the following:
 - (A) Using praise and encouragement of good behavior instead of focusing only upon unacceptable behavior;
 - (B) Reminding a child of behavior expectations daily by using clear, positive statements;
 - (C) Redirecting behavior using positive statements; and
 - (D) Using brief supervised separation or time out from the group, when appropriate for the child’s age and development, which is limited to no more than one minute per year of the child’s age. **(This will only be used as a last resort after implementation of other positive behavior strategies, including those in a Behavior Plan.)**

There must be no harsh, cruel, or unusual treatment of any child. The following types of discipline and guidance are prohibited (Minimum Standard 746.2805):

- (1) Corporal punishment or threats of corporal punishment;
- (2) Punishment associated with food, naps, or toilet training;
- (3) Grabbing or pulling a child;
- (4) Putting anything in or on a child’s mouth;
- (5) Humiliating, ridiculing, rejecting, or yelling at a child;
- (6) Subjecting a child to harsh, abusive, or profane language;
- (7) Placing a child in a locked or dark room, bathroom, or closet;
- (8) Placing a child in a restrictive device for time out;
- (9) Withholding active play or keeping a child inside as a consequence for behavior, unless the child is exhibiting behavior during active play that requires a brief supervised separation or time out that is consistent with §746.2803(4)(D) of this subchapter (relating to What methods of discipline and guidance may a caregiver use?); and
- (10) Requiring a child to remain silent or inactive for inappropriately long periods of time for the child’s age.

Chapter 746, Title 40, Social Services and Assistance, Part 19, Department of Family and Protective Services Subchapter L, Discipline and Guidance

Failure to follow the Discipline and Guidance Policy will result in serious consequences including separation from employment.

I, _____, acknowledge receipt of, and have read and understand the Hidalgo County Head Start Program Discipline and Guidance Policy.

Print Employee Name	Employee ID #
Employee Signature	Date

Check the appropriate designation: _____ 1. Employee/Caregiver
 _____ 2. Parent
 _____ 3. Volunteer
 _____ 4. Consultant, Contractor, or School District Employee



HIDALGO COUNTY HEAD START PROGRAM

RELEASE OF CHILDREN POLICY

TDFPS – Minimum Standards for Child-Care Centers

MS 746.4101 and MS 746.1003

You must release children only to a parent or a person designated by the parent. (MS 746.4101)

- The Center caregivers can **ONLY** release a child to a person whose name appears on the Parent/Head Start Agreement form which is part of the Child’s file.

The Center caregivers must verify the identity of a parent or a person a parent has designated to pick-up the child not known to the staff. (MS 746.4103)

- The center staff will request a copy of a valid photo identification, an instant photograph of the individual, such as the person’s driver’s license or Department of Public Safety (DPS) identification card that will provide a means to record the identity of the individual, and
- The center staff will record the name of the individual, driver’s license or DPS ID Card number and **car tag numbers**, and
- The center staff will retain this information in the child’s record for at least three (3) months.

Failure to comply with the Release of Children Policy will result in disciplinary action including separation from employment.

I acknowledge that I have read and understand the Release of Children Policy and that I have received a copy this policy.

I, _____, acknowledge receipt of, and have read and understand the Hidalgo County Head Start Release of Children Policy.

Print Name

Employee ID #

Employee’s Signature

Date

Policy Council Approval: 6/21/2017
Grantee Board Approval: 6/27/2017



Hidalgo County Head Start Program Employee Use of Cellular Phone Policy

The purpose of the Hidalgo County Head Start Program - Use of Cellular Phone Policy is to ensure that all staff, consultants, contractors, and volunteers promote a safe and productive work environment that increases safety and supervision for children in care of the program. Use of cellular phones in classrooms, children's play areas, and during the transporting of children is prohibited at all times to ensure children's safety and implementation of active supervision strategies as required by Child Care Licensing Minimum Standards and Office of Head Start. This policy applies to both incoming and outgoing cellular calls. [TDHHS MS 746.1205; HSPS 132.90 (c)(1)(v); 45CFR 134.52 (i)(1)(iii)]
7460(203(6)(D),

Procedure:

1. Cellular phones are not allowed for use during working hours.
2. Cellular phones shall be turned off or set to silent or vibrate mode during working hours, meetings, conferences and in other locations where staff is supervising children.
3. Staff may use personal cellular phones during breaks or at lunch time.
4. For personal emergencies that may arise, please advise all prospective callers to leave a message with your immediate supervisor or employee at the front desk.
5. Center Managers have been authorized to implement steps in instances where violations occur to prohibit carrying cellular phones into the workplace and take further action if necessary.
- 6. If an employee is operating a company vehicle and receives a call on a cell phone, the employee should not answer the call until he/she has pulled into a parking lot or other safe location to return to the call.**
- 7. School bus operators are prohibited from using cell phones while driving if children are present.**
- 8. In school zones, all drivers are prohibited from texting and using handheld devices while driving.**

I _____, acknowledge receipt of, and have read and understand the Hidalgo County Head Start Program Employee Use of Cellular Phone Policy.

Failure to comply with the Employee Use of Cellular Phone Policy will result in disciplinary action including separation from employment.

Print Name

Employee ID#

Employee Signature

Date

Policy Council Approval: 6/21/2017
Grantee Board Approval: 6/27/2017



HIDALGO COUNTY HEAD START PROGRAM DRESS CODE POLICY

Notice: Each employee shall be given a copy of the Employee Dress Code Policy.

Introduction: Employees of Hidalgo County Head Start serve as role models for students with whom they work and as leaders in the community. Consistent with these roles, all employees will dress in a manner and have an appearance that is appropriate and professional in light of their job duties and work environment.

Dress and Grooming: Dress and grooming of Hidalgo County Head Start Program employees shall be clean, neat and presentable.

Appropriate Attire: The following attire is permitted:

1. Sleeveless dresses and blouses are permitted only if they are regular sleeveless type. No muscle type cut.
2. Staff (maintenance, drivers, food service delivery personnel, mail couriers) must wear such uniforms as may be provided by the agency.
3. Center or department staff may select a "uniform" (button up T-shirts, slacks, skirts, overall jumpers, etc.) for the department/center and wear such uniform as approved by Executive Director.
4. Scrubs may be worn by staff who works directly with children including cafeteria staff, teachers, assistants, bus aides and disability aides.
5. Slits on skirt or dress must overlap and should not extend more than 3" above the knee. Non-overlapping slits must not exceed 2" above the knee.
6. Capri/crop pants must be below the knee (not tight).

Inappropriate Attire: The following list of apparel is considered inappropriate and should not be worn by any employee of the Hidalgo County Head Start Program at the work site, professional meetings, workshops or activities sponsored by Head Start unless specifically noted.

1. Blue jeans, prewashed denim jeans, except on the identified "spirit days" (usually Fridays) of the week and during workdays.
2. Spaghetti strap dresses or blouses.
3. Warm-ups.
4. Tight-fitting garments.
5. T-shirts except on special occasions (spirit day, field trips, etc.) and except as indicated for uniform.

Shoes:

Classroom staff or those substituting for classroom staff may not wear thongs, flip flops, high heels, slip on (open toe) or slip on sandals (no strap to hold foot in place).



HIDALGO COUNTY HEAD START PROGRAM DRESS CODE POLICY

- Additional Guidelines:**
1. Women may consider hosiery to be optional, however, men shall wear socks.
 2. Mustaches and beards shall be well groomed and neatly trimmed.
 3. Jewelry shall not be worn in exposed pierced body parts except for the ear.
 4. Offensive tattoos shall not be exposed.
 5. Hair must be clean and neatly combed and hair style shall not be distracting.
 6. Hats or caps in the classroom and offices are not allowed.
 7. Men's hair below the shirt collar is not allowed.
 8. Staff may wear tennis shoes as appropriate to the assignment.

**Exception to the
Dress Code:**

During unforeseen circumstances additional guidelines may be issued by a supervisor and approved by the Executive Director to address a specific need. These additional guidelines have a temporary status and serve a specific purpose only (i.e. attire to help in moving or preparing for a particular event; use of open toe shoes because of medical condition.)

Enforcement:

The following specific procedures and consequences shall be enforced for those who do not follow the dress code:

First offense: The employee shall receive a verbal warning.

Second offense: The employee shall receive a written warning.

Third offense: An employee who violates the dress code for the third time shall be considered insubordinate for failure to follow directives and shall be put on probation.

Fourth offense: An employee who continues to ignore the dress code after the fourth offense shall be subject to termination.

Documentation of each step followed will be provided in writing to the employee and filed in the employee's personnel file.

Final Decision:

Final decision regarding dress code issues will remain with the director or designee.

I, _____, acknowledge receipt of, and have read and understand the Hidalgo County Head Start Program Dress Code Policy.

Employee Signature

Date Received

Policy Council Approval: 6/21/2017

Grantee Board Approval: 6/27/2017



Hidalgo County Head Start Program “CIVIL RIGHTS ACT”

POLICY:

It is the policy of the Hidalgo County Head Start Program to provide equal opportunity in employment to all employees and applicants for employment. No person shall be discriminated against in employment because of such individual's race, religion, political belief, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activities. ***(Not all prohibited bases apply to all programs.)**

PROCEDURAL APPLICATION:

This policy applies to all terms, conditions and privileges of employment including hiring, probation, training and development, promotion, transfer, compensation, benefits, educational assistance, reduction in force, social and recreational programs.

If you believe you have been discriminated against, write immediately to:

Civil Rights Office	
Texas Health and Human Services Commission	Phone: (512) 438-4313 or 1-888-388-6332
701 W. 51 st Street, MC W-206	TTY: 1-877-432-7232
Austin, Texas 78714-9030	Fax: (512) 438-5885

Or you may contact:

Office of Civil Rights	Phone: (214) 767-405
U.S. Department of Health and Human Services	TTY: (214) 767-8940
1301 Young Street, Suite 1169	Fax: (214) 767-0432
Dallas, Texas 75202	

Discrimination in any food and nutrition program may also be reported:

Nondiscrimination statement: In accordance with federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activities.

To file a complaint of discrimination, write:

U.S. Department of Agriculture	Phone: (202) 260-1026 or 1-866-632-9992
Director, Office of Adjudication	TTY: (202) 401-0216
1400 Independence Avenue, SW	Fax: (202) 690-7442
Washington, DC 20250-9410	

USDA is an equal opportunity provider and employer.

EMPLOYEE BRIEFING VERIFICATION:

I, _____, acknowledge receipt of, and have read and understand the Hidalgo County Head Start Program Civil Acts Policy.

Signature

Date

Rev. 5/17

Policy Council Approval: 6/21/2017
Grantee Board Approval: 6/27/2017



**Hidalgo County Head Start Program
Hidalgo County Civil Service Commission
Employee Standards of Conduct**

I, _____, have been informed of the specifics of the Hidalgo County Head Start Program Standards of Conduct as defined in Civil Service Commission Rules.

Civil Service Commission Rule 5.17 requires that all “employees are expected to observe all employee standards of conduct. Observance of the standards of conduct may extend beyond regular work hours and beyond the employee's work site. In these cases, a demonstrable relationship must exist between the employee's conduct and job performance or there must be an adverse effect on the work area or the County and/or District. Violating the standards of conduct may result in disciplinary action, including dismissal. When appropriate, a standard(s) of conduct violation may result in immediate dismissal and possible criminal prosecution. Any employee who knows of an employee's violation of the standards of conduct and who does not report such violation to an appropriate County and/or District official, usually the employee's Elected Official/Department Head, may be subject to disciplinary action, including dismissal. (Adopted December 13, 1995)”

Civil Service Commission Rule 5.18 provides a list of activities that are examples of employee conduct prohibited by the rules contained in this Chapter V.

I understand that misconduct and/or breach of the Standards of Conduct will be grounds for disciplinary action including dismissal in accordance to Hidalgo County Civil Service Rules and Policies.

I _____, acknowledge receipt of, have read and understand the Hidalgo County Head Start Program Civil Service Commission Employee Standards of Conduct.

Staff Name (Please Print)

Date Received

Signature

EMPLOYEE STANDARDS OF CONDUCT

5.17 Employees are expected to observe all employee standards of conduct. Observance of the standards of conduct may extend beyond regular work hours and beyond the employee's work site. In these cases, a demonstrable relationship must exist between the employee's conduct and job performance or there must be an adverse effect on the work area or the County and/or District. Violating the standards of conduct may result in disciplinary action, including dismissal. When appropriate, a standards of conduct violation may result in immediate dismissal and possible criminal prosecution. Any employee who knows of an employee's violation of the standards of conduct and who does not report such violation to an appropriate County and/or District official, usually the employee's Elected Official/Department Head, may be subject to disciplinary action, including dismissal. (Adopted December 13, 1995)

EXAMPLES OF PROHIBITED CONDUCT

5.18 The following activities are examples of employee conduct prohibited by the rules contained in this Chapter V:

- a. Fighting on the job (Adopted March 8, 1995);
- b. Threatening, intimidating, coercing or interfering with fellow employees or other persons during working hours (Adopted March 8, 1995);
- c. Creating a negative work atmosphere during working hours (Adopted March 8, 1995);
- d. Sleeping while on duty (Adopted March 8, 1995);
- e. Gambling while on duty (Adopted March 8, 1995);
- f. Insubordination (Adopted March 8, 1995);
- g. Theft, damage, misuse, sale, destruction or unauthorized possession of property belonging to the County and/or District, fellow employees or others (Amended December 13, 1995);
- h. Falsifying County and/or District records, reports or any other written document (Adopted March 8, 1995);
- i. Immoral conduct which violates common decency on the job or associated with job related activities (Adopted March 8, 1995);
- j. Sexual harassment of County and/or District employees or other persons (Adopted March 8, 1995);
- k. Violations of the County and/or District's equal employment opportunity policy (Adopted March 8, 1995);
- l. Violation of existing federal, state or County and/or District laws, rules or regulations (Adopted March 8, 1995);

- m. Possession or use of alcohol or a controlled substance on the job or in areas that are associated with job related activities as well as reporting for work or attempting to report for work after consuming alcohol or a controlled substance (Adopted March 8, 1995);
- n. Engaging in work other than on County and/or District property or on County and/or District projects during working hours (Adopted March 8, 1995);
- o. Carelessness affecting personal safety or property of any employee, the County and/or District or others (Adopted March 8, 1995);
- p. Failing to report every accident, injury or any damage occurring to or involving County and/or District property or personnel to the employee's department head, supervisor or foreman and the Human Resources Department (Adopted March 8, 1995);
- q. Use of County and/or District vehicles, equipment, tools, material or facilities for personal or private purposes (Adopted March 8, 1995);
- r. Use of telephones for personal long distance calls and excessive use of telephones for personal calls unless authorized by the employee's supervisor (Adopted March 8, 1995);
- s. Improper maintenance of County and/or District equipment (Adopted March 8, 1995);
- t. Deliberate waste of County and/or District materials or parts (Adopted March 8, 1995);
- u. Deliberate or reckless conduct which causes damage to equipment or property belonging to County and/or District, another employee or another person (Adopted March 8, 1995);
- v. Wasting time or loitering (Adopted March 8, 1995);
- w. Absence from duty or job site during working hours without permission from the employee's immediate supervisor (Adopted March 8, 1995);
- x. Failing to report an absence from work to the employee's department head, supervisor or foreman prior to the commencement of the work day (Adopted March 8, 1995);
- y. Abuse of sick leave (Adopted March 8, 1995);
- z. Excessive absenteeism or tardiness (Adopted March 8, 1995);
- aa. Knowingly harboring or refusing treatment of a contagious disease or other physical conduction which endangers other employees or other persons (Adopted March 8, 1995);
- bb. Discourtesy to the public (Adopted March 8, 1995);
- cc. Acceptance of any gratuity or gift for the performance or nonperformance of official duties or any use of position as County and/or District employee for private gain (Adopted March 8, 1995);
- dd. Failure to wear presentable dress and/or uniform if required (Adopted March 8, 1995);

- ee. Conduct or actions that seriously impair an employee's job effectiveness (Adopted December 13, 1995);
- ff. Conduct which is detrimental to or has an adverse affect on the County and/or District (Adopted December 13, 1995);
- gg. Failure to obtain and maintain any job qualifications, licenses or certifications required by the employee's job description (Adopted December 13, 1995);
- hh. Conviction of: felony offenses; Class B or above misdemeanor offenses which impair an employee's job effectiveness; or any crime involving moral turpitude (Adopted December 13, 1995);
- ii. Failure to satisfactorily complete, obtain or maintain any required physical and/or psychological fitness for duty (Adopted December 13, 1995);
- jj. Engaging in conduct off the job location and off duty which negatively affects the employee's effectiveness on the job or negatively affects the County and/or District (Adopted December 13, 1995);
- kk. Gross or repeated neglect of duty (Adopted December 13, 1995);
- ll. Poor job performance (Adopted December 13, 1995);
- mm. Perjury (Adopted December 13, 1995);
- nn. Knowingly creating and submitting false and/or slanderous reports concerning, and/or gossip regarding, fellow employees, supervisors, subordinates, Elected Officials and/or Department Heads (Adopted December 13, 1995);
- oo. Dishonesty characterized by a lack of trust, honesty or truthfulness (Adopted December 13, 1995);
- pp. Failure to observe assigned office hours, including time limits set for work and lunch breaks. In this regard, it is not appropriate for an employee to use work breaks to come to work late, extend lunch breaks, or leave work early (Adopted December 13, 1995);
- qq. Personal reading, wasting time, visiting excessively or behaving in a way that distracts other employees or disrupts the workplace (Adopted December 13, 1995);
- rr. Failing to follow a supervisor's instruction in performing job tasks (Adopted December 13, 1995);
- ss. Except for authorized law enforcement personnel, having firearms or other dangerous weapons on County and/or District owned or leased property or in areas that are associated with job related activities (Adopted December 13, 1995);
- tt. Engaging in activities that endanger fellow employees or other persons (Adopted December 13, 1995);

uu. Failing to maintain a clean, safe work area and/or failing to observe all safety and security rules (Adopted December 13, 1995);

vv. Failing to observe leave policies, including compliance with the overtime compensation requirement of the Fair Labor Standards Act (Adopted December 13, 1995);

ww. Excessive or inappropriate use of leave (Adopted December 13, 1995); and

xx. Unexcused absenteeism (Adopted December 13, 1995).

**HIDALGO COUNTY HEAD START PROGRAM
TUBERCULOSIS QUESTIONNAIRE FOR STAFF/VOLUNTEERS
Head Start Program Standard 1302.93 (a)**

This questionnaire is about tuberculosis. Tuberculosis can be transmitted from person to person who live with or spend a great deal of time with each other. Tuberculosis is transmitted by a person with tuberculosis to another person through airborne droplets that are coughed or sneezed into the air and breathed in by another person. This transmission of infection is more likely to occur when the person and the infectious person spend a lot of time together in a closed environment, like a small room, a car, or other similar situations.

People who have tuberculosis will often have the following symptoms: cough for more than two weeks duration, loss of appetite, weight loss of ten or more pounds over a short period of time, fever, chills, and night sweats.

A person can have a tuberculosis infection and not have active tuberculosis.

Not everyone who coughs has tuberculosis.

TB can cause (low grade) fever of long duration, unexplained weight loss, weakness, chest pain, a bad cough, hoarseness, and/or coughing up blood.

Tuberculosis is preventable and treatable.

Since your last skin test:

	Yes	No	I Don't Know
Has anyone in your family had tuberculosis?			
Do you know of any situation where you were around an adult who has been diagnosed or suspected as having TB?			
Have you visited a foreign country where there is a lot of TB?			
If yes, which country/countries?			
TB can cause fever of long duration, unexplained weight loss, weakness, chest pain, a bad cough, hoarseness or coughing up blood. Have you been around anyone who has these problems?			
Have you had any of these problems?			
To your knowledge, have you had contact with anyone who is/has been an intravenous (IV) drug user?			
HIV-infected?			
In jail/prison?			
Recently moved to the U.S. from a foreign country?			

_____ Name

_____ Date

_____ Signature

Policy Council Approval: 6/21/2017
Grantee Board Approval: 6/27/2017

The County of Hidalgo Drug and Alcohol Policy

1. Policy Statement

The County of Hidalgo (the "COUNTY") recognizes that alcohol and drug abuse in the workplace has become a major concern. To help ensure a safe, healthy and productive drug-free work environment for all employees (collectively "Employees") of the COUNTY and others on the property of the COUNTY, to protect COUNTY property and assets, maintain a favorable public image and to assure efficient operations, the COUNTY has adopted a policy on drugs, alcohol and other prohibited items applicable to all Employees. This policy is intended to comply with the Drug Free Workplace Act of 1988, the Texas Workers Compensation Act and all applicable regulations issued by the Department of Transportation ("DOT").

It is the policy of the COUNTY to maintain its property and to provide a drug-free working environment that is both safe for Employees and others having business with the COUNTY or on COUNTY property and conducive to efficient and productive work standards. This policy restricts certain items and substances from being brought on or being present in or on COUNTY property, including all COUNTY owned and operated buildings, parking areas, easements and rights of way, vehicles, equipment, parks and recreational areas, capital projects, construction sites, job sites and any areas which fall under the jurisdiction and control of the COUNTY. This policy prohibits Employees from reporting to work, working or being present on COUNTY property, whether or not on duty, from having detectable levels or identifiable trace quantities of certain drugs and other substances. However, this policy is not intended to prohibit or restrict the legal and responsible use of alcohol in County recreation areas by County Employees while off duty.

2. Statement of the Drug and Alcohol Policy

The use, possession, sale, manufacture, distribution, transfer, dispensation, concealment, receipt, transportation, or being under the influence of any prohibited items or substances (including the presence of detectable levels or identifiable trace quantities), as defined in Section 3, on COUNTY property or while on COUNTY business, by Employees, is prohibited. Employees must not report for duty or be on COUNTY property while under the influence of, or have in their possession while on COUNTY property, any prohibited item or substance.

3. Definitions

Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol (ethanol) or any other low molecular weight alcohol including methyl and isopropyl alcohol.

CDL means Commercial Driver License holders. The COUNTY requires certain Employees to maintain a CDL. The DOT regulations (49 CFR Parts 40 and 382) require the COUNTY to have a special, mandatory controlled substance and alcohol testing policy for these Employees. All applicable drug and testing procedures shall meet DOT regulations. A copy of the DOT regulations shall be available for inspection and copying in the Personnel Office.

Commission means the Hidalgo County, Texas Civil Service Commission established pursuant to the Texas Local Government Code.

Controlled Substance means illegal drugs plus any other substance covered by Schedules I through V of the Federal Controlled Substances Act (21 USC 801, et seq.) or the Texas Controlled Substances Act (Chap. 481, Texas Health and Safety Code). A controlled substance is unauthorized if the Employee does not have a valid prescription for that substance at the time of its use or possession.

Conviction means a final, non-appealable finding of guilt by either a judge or jury, or a suspension of sentence, probation or deferred adjudication, including a plea of *no lo contendere*.

County means Hidalgo County, Texas, as organized and existing under the constitution and laws of the State of Texas.

Department means a county, district, or precinct office, agency, or board that has jurisdiction and control of designated governmental functions.

Department Head means an individual appointed as a supervisor or a department by one of the following: Commissioner's Court, County Judge, a designated representative of the Commissioner's Court, or an Elected Official.

Detectable means the measurable presence of an illegal or prohibited drug or substance found in body fluids at an mg/ml level of detection specified by the County's contract with a National Institute of Drug Abuse ("NIDA") certified testing laboratory; such levels will meet the DOT requirements.

Elected Official means an individual elected to a position created by the constitution or by statute. The term of an Elected Official is limited by the constitution.

Employee means any person employed by the County, including Elected Officials, full-time, part-time, temporary, probationary and contract employees.

Safety-sensitive Position means a position in which a drug impairment constitutes an immediate and direct threat to public health or safety, such as a position that requires the employee to carry a firearm, perform life threatening procedures, or

work with controlled substances; a position in which drug impairment constitutes an immediate and direct threat to the Employee's health or safety; a position which has access to a juvenile facility; a position in which the Employee is responsible for the well-being of a minor; or a position in which a momentary lapse in attention could result in injury or death to another person.

Under the influence means being unable to perform work in a safe and productive manner, being in a physical or mental condition which creates a risk to the safety and well-being of the individual, other employees, the public or COUNTY property, and/or having a measurable presence of an illegal or prohibited drug or substance found in body fluids at an mg/ml level of detection specified by the COUNTY's contract with a NIDA certified lab.

4. Prohibited Items and Prohibited Conduct

- A. The use, possession, sale, manufacture, distribution, dispensation, concealment, receipt, transportation, or being under the influence of any of the following items or substances on COUNTY property (including the presence of detectable levels or identifiable trace quantities), by Employees, is prohibited:
- i. Illegal drugs; controlled substances; marijuana; mood or mind altering substances, legal or illegal; "look-alike" substances; designer, counterfeit or synthetic drugs; inhalants; and any other drugs or substances which will in any way affect safety, workability, alertness, coordination, judgment, response or affect the safety of others on the job.
 - ii. Alcoholic beverages. Consuming alcoholic beverages while driving or driving while intoxicated any vehicle for COUNTY business or any COUNTY vehicle at any time is prohibited. The consumption of alcohol on COUNTY time is prohibited.
 - iii. Drug paraphernalia.
 - iv. Prescription drugs and over the counter medications, except under the following conditions:
 - a) The drugs have been prescribed by an authorized and Texas licensed medical practitioner for current use (within the past 12 months) for the person in possession of the drugs and filled in accordance with the provisions of the Texas Pharmacy Act, Texas Controlled Substances Act (Chapter 481, Texas Health and Safety Code) and regulations promulgated thereunder.

- b) The drugs/medications, both prescribed and over the counter, are limited to a one day's supply, or must be kept in their original container labeled in accordance with the provisions of the applicable laws of the State of Texas and must be taken in accordance with the dosage recommendations and usage cautions and generally must not affect the person's ability to perform work safely.
- c) The COUNTY may require the Employee to provide documentation from the doctor stating that such use will not impair the Employee's ability to perform the essential functions of his/her position. The COUNTY reserves the right, with Employee's consent, to consult with the Employee's medical doctor to determine if a drug or medication, whether prescribed or not, produces hazardous or non-safe effects and may restrict the use of any such drug or medication accordingly on COUNTY property.
- d) Any Employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of medication could compromise the safety of the Employee, fellow Employees or the general public, it is the Employee's responsibility to use appropriate personnel procedures (i.e., call in sick, use leave, request change of duty, notify supervisor) to avoid unsafe workplace practices.

B. The following conduct is prohibited by this policy:

- i. Switching or altering any urine sample submitted for testing.
- ii. Refusal to consent to testing. Consent is indicated by signing any form required by the COUNTY or its designated testing facility.
- iii. Refusal to submit to an inspection of any desk, locker, vehicle or other COUNTY property under Employee's control when asked to do so by Department Head or Elected Official.
- iv. Conviction under any criminal drug statute for a violation occurring in the workplace.

- v. Failure to notify the Department Head, Elected Official or Risk Management of any arrest or conviction under any criminal drug statute, or arrest or conviction of driving while intoxicated, within five (5) days of the arrest or conviction.
- vi. Failure to notify Department Head, Elected Official or Risk Management of the side effects of a prescription or non-prescription drug which may impair the Employee's behavior or physical or mental ability to safely and fully perform assigned duties.
- vii. Failure to keep prescribed medicine in its original container or to provide proof of identification of drug prescriptions and prescribing physician.
- viii. Failure of any COUNTY Employee to report the use or possession of an illegal drug or prohibited item by another COUNTY Employee while on duty or in a COUNTY vehicle.

5. Policy Enforcement

Because of the importance of this Policy, the COUNTY reserves the right, at all times, while on COUNTY premises and property and when circumstances warrant, to have the Department Head, Elected Official or personnel designated by COUNTY conduct reasonable searches and inspections of Employees and their personal property and effects, to include, but not limited to lunch boxes, purses, briefcases, baggage, offices, desks, clothing, and vehicles (including trunks, glove compartments, etc.), for the purpose of determining if such Employees or other persons are using, possessing, selling, manufacturing, distributing, dispensing, concealing, receiving or transporting any of the prohibited items and substances.

The Department Head, Elected Official and certain personnel designated by the Department Head have the right to conduct an on-the-spot search and inspection of Employees and their personal property and effects, as described above, if Department Head, Elected Official or designated personnel have a reason to believe that Employees or others are in violation of this policy. All searches and inspections conducted by outside authorized specialists will be in the presence of the Department Head, Elected Official or such designated personnel. All Employees are expected to cooperate with any investigation regarding this policy. Failure to cooperate, providing false information or omitting information may subject Employees to disciplinary action in accordance with all COUNTY personnel policies and all applicable state law.

A search and inspection may also include and require Employees present on COUNTY property to submit to a drug and alcohol screen test. Tests may be required under the following circumstances, however testing is mandatory for all individuals in sections (a) and (b):

- a) Post-offer, pre-employment screening to a safety-sensitive position;
- b) Post-employment transfer, promotion and/or reassignment to safety-sensitive position;
- c) When the Department Head, Elected Official or personnel designated by the Department Head have reason to believe that an Employee on COUNTY property is using or under the influence of prohibited drugs, alcohol and substances, or that there has been a violation of this policy;
- d) When an Employee is found in possession of suspected illegal or prohibited drugs and substances, or when any of these drugs and substances are found in an area controlled or used exclusively by said Employee or other person;
- e) When an Employee returns to active employment in a safety-sensitive position after a leave of absence of forty-five (45) days or more;
- f) Following an on-the-job injury requiring treatment from a physician, or, following a serious or potentially serious accident or incident, including near misses, in which safety precautions were violated, unsafe instructions or orders were given, vehicles/equipment/property was damaged, or unusually careless acts were performed. All persons involved and within the immediate vicinity of the incident may have their urine and/or blood tested. If it is impossible or impractical, because of the physical condition of the individual(s) involved in the accident, to give a urine and/or blood sample, and if in subsequent medical treatment of the person(s) blood will be drawn, then blood will be analyzed for drugs, alcohol and other prohibited substances; or
- g) Random (Periodic and unannounced). Only COUNTY employees who are required to possess a CDL to perform their job duty and/or every employee working in a job classified as a safety-sensitive position will be subject to random testing. Random testing, other than to meet current specific job site requirements, will not commence until twenty-one (21) days following the date of this policy; however, applicants for employment shall be subject to testing as of the date of this policy. The search, inspection, urine and/or blood drug screening provisions herein will be

performed with concern for the personal privacy of each Employee or other person, and will also apply to contract labor, when feasible.

All persons shall have the opportunity, prior to testing and at the testing facility, to list all prescription and non-prescription drugs they have used in the last thirty (30) days and to explain the circumstances surrounding the use of such drugs. All records containing medical information will be maintained in accordance with applicable law.

This testing policy does not include and specifically excludes those Employees covered by the Hidalgo County Sheriff's Department Alcohol and Drug Testing Policy as defined therein.

6. Consequences for Violating Policy

The following violations of this policy will result in **automatic and mandatory termination** upon the first offense:

- a) Refusal to submit to a drug and or alcohol test. Consent is indicated by signing any form required by the COUNTY or the physician or laboratory collecting the specimen for testing.
- b) Confirmation of a positive result in drug testing and screening, which indicates detectable levels or identifiable trace quantities of a prohibited drug or substance
- c) Unauthorized use or possession of alcohol when reporting for duty, while on duty or occupying any COUNTY vehicle or personal vehicle on COUNTY time, including lunch or other break periods.

Violations involving other sections of this policy will result in disciplinary actions, up to and including termination, in accordance with all COUNTY personnel policies and all applicable state law. Preliminary findings of a policy violation, other than those which require automatic and mandatory termination, may require Employee be suspended, without pay, pending the results of an investigation. If the investigation clears Employee of any policy violation, then Employee will be fully reinstated, including pay, to his/her job.

An Employee who is terminated for refusing to take a drug test and or alcohol test or who is terminated for having a positive drug or alcohol test will not be eligible for rehire for six (6) months.

7. Notification

Any Employee who is arrested or convicted of a drug-related offense must report the arrest or conviction to their Department Head, Elected Official or Risk Management within five (5) days of the conviction. Any Employee who is arrested or convicted of driving while intoxicated must report the arrest or conviction to their Department Head, Elected Official or Risk Management within five (5) days of the conviction. Failure to report such an offense may result in disciplinary action in accordance with all COUNTY personnel policies and applicable state law.

8. Treatment Programs and Employee Insurance

While the COUNTY does not sponsor or endorse any specific drug treatment program, such programs are available through public and private health care facilities in the area. Affected employees are encouraged to seek assistance for themselves and their dependents. The group health insurance offered to employees and their dependents may provide limited coverage for expenses related to drug treatment programs. Employees may contact the Human Resources Department or refer to the plan description for details.

The COUNTY does not offer, nor require, participation in drug and alcohol abuse education and training programs. However, various public and private facilities in the area offer such programs and affected or interested employees are encouraged to seek assistance.

I, _____, have read, understand and received a copy of the County of Hidalgo Drug and Alcohol Policy, and understand I am expected to abide by this Policy.

Date:

Signature:

ABSENCE CONTROL POLICY

An employee's combined authorized leave, paid or unpaid, from whatever source (excluding leave authorized by the Family and Medical Leave Act), may not exceed fourteen (14) weeks in any rolling 12 month period ("Maximum Leave"). Absence from work during any period for which the employee's absence is charged against Family and Medical Leave may not be included in the computation of Maximum Leave. (In other words, if any of the employee's absences are associated with leave granted under the Family and Medical Leave Act, such employee's maximum combined authorized leave, paid or unpaid, continuous or intermittent, may not exceed 26 weeks in any rolling 12 – month period.) any employee who does not return to work after the employee's Maximum Leave has been exhausted (whether such leave if continuous or intermittent), regardless of the reason, will be subject to an Administrative Separation from employment and any accrued annual leave and/or compensatory time (FLSA – covered employees) will be paid to the employee in a lump sum.

This policy does not affect a separation of employment for unauthorized absences nor does this policy override any statutory or constitutional provisions which may affect a law enforcement officer injured in the line of duty or an employee called to military duty by a proper authority. (Adopted April 12, 2005)

DEFINITIONS:

Administrative Separation means dismissal of an employee who does not return to work after the employee's Maximum Leave has been exhausted (whether such leave is continuous or intermittent). If an employee is dismissed because of an Administrative Separation, no cause other than the dates of absence need to be cited and the sole basis of a grievance is the inaccurate computation of Maximum Leave. (Adopted April 12, 2005)

AMENDMENT NO. 2

ABSENCE CONTROL POLICY

- 7.34 An employee's combined authorized leave, paid or unpaid, from whatever source (excluding leave authorized by the Family and Medical Leave Act), may not exceed fourteen (14) weeks in any rolling 12 month period ("Maximum Leave"). Absence from work during any period for which the employee's absence is charged against Family and Medical Leave may not be included in the computation of Maximum Leave. (In other words, if any of the employee's absences are associated with leave granted under the Family and Medical Leave Act, such employee's maximum combined authorized leave, paid or unpaid, continuous or intermittent, may not exceed 26 weeks in any rolling 12-month period.) Any employee who does not return to work after the employee's Maximum Leave has been exhausted (whether such leave is continuous or intermittent), regardless of the reason, will be subject to an Administrative Separation from employment and any accrued annual leave and/or compensatory time (FLSA-covered employees) will be paid to the employee in a lump sum.
- 7.34B This policy does not affect a separation of employment for unauthorized absences nor does this policy override any statutory or constitutional provisions which may affect a law enforcement officer injured in the line of duty or an employee who is called to military duty by a proper authority.

Employee Name (Please Print)

Last 4 #'s of S.S.

Employee Signature

Date Received

HIDALGO COUNTY

ETHICS POLICY

Section I.

General Principles

- A. While every Employee is already governed by the dictates of his or her individual conscience, it is desirable to adopt a uniform Code of Ethics which contains principles which should apply to the day to day conduct of all Employees.
- B. Every Employee should be committed to the highest standard of conduct in the performance of their public duties. Individuals and collective adherence to high ethical standard is central to the maintenance of public trust and confidence on government. As servants and stewards to the public, each Employee should readily acknowledge that nothing less should be expected of them.
- C. While the potential for personal conflict or differing views of values or loyalties may, from time to time exist, they should always succumb to the commitment of the public good.
- D. Adult Probation Department Employees must follow the Code of Ethics written and approved by the Texas Department of Criminal Justice – Community Justice Assistance Division.
- E. Any employee found in violation of this Ethics Policy may be subjected to appropriate disciplinary action including possible termination. In addition, depending to the nature of the violation, an Employee may be subjected to criminal prosecution.

Section II.

Ethical Principles

- A. **The Ethical Employees Should:**
 - 1. Promote decisions which only benefit the public interest;
 - 2. Actively promote public confidence in County government;
 - 3. Keep safe all assets, funds and other properties of the County;
 - 4. Promptly administer the affairs of the County;
 - 5. Conduct and perform their duties as an Employee diligently and promptly dispose of the business of the County;
 - 6. Maintain a positive image to pass constant public scrutiny;
 - 7. Evaluate all decisions so that the best service or product is obtained at minimal, cost-effective rates without sacrificing quality and fiscal responsibility;
 - 8. Inject the prestige of the office or job into everyday dealing with the public, Employees and associates;
 - 9. Maintain a respectful attitude toward other Employees, other public officials, colleagues and associates;
 - 10. Effectively and efficiently work with government agencies, political subdivisions and other organizations in order to further the interest of the County; and
 - 11. Faithfully comply with all laws and regulations applicable to the County and impartially apply them to everyone.

B. The Ethical County Official, Department Head and Employee Should Not:

1. Engage in outside interests that are not compatible with the impartial and objective performance of their duties as an Employee;
2. Improperly influence or attempt to influence other Employees to act in his or her own benefit; nor
3. Accept anything of value from any source which is offered to influence his or her action as a public official or as an Employee.

C. Civil and Criminal Statutes Relating to Public Servants

Scattered throughout the various codes and statutes of the State of Texas are various civil and criminal codes and statutes relating to and affecting the conduct of all public officials and public employees. The following is a partial listing where these codes and statutes may be located:

OPEN MEETING ACT
TEX GOV'T CODE § 55.002 et seq.

OPEN RECORDS ACT
TEX GOV'T CODE § 552.001 et seq.

DISCLOSURE BY PUBLIC SERVANT OF INTEREST IN PROPERTY TO BE ACQUIRED WITH PUBLIC FUNDS
TEX GOV'T CODE § 553.002

RETALIATION PROHIBITED FOR REPORTING VIOLATION OF LAW (WHISTLE BLOWERS ACT)
TEX GOV'T CODE § 554.002; TEX LABOR CODE § 21.055

NEPOTISM PROHIBITIONS
TEX GOV'T CODE § 573.001 et seq.

REGULATIONS OF CONFLICT OF INTEREST
TEX LOCAL GOV'T CODE § 171.001 et seq.

MANDATORY CONFLICT OF INTEREST REPORTING
TEX LOCAL GOV'T CODE CHAPTER 176

BRIBERY
TEX PENAL CODE § 36.02

ACCEPTANCE OF HONORARIUM
TEX PENAL CODE § 36.07

GIFT TO PUBLIC SERVANT BY PERSONS SUBJECT TO JURISDICTION
TEX PENAL CODE § 36.08

TAMPERING WITH GOVERNMENTAL RECORD
TEX PENAL CODE § 37.10

Employee Name (please print)

Date

Employee Signature

Last 4 digits S.S.#



Hidalgo County Safety Division

Topic: Sexual Harassment Awareness

HIDALGO COUNTY EXECUTIVE OFFICE
2818 S. Business Highway 281
Edinburg, Texas 78539
956-292-7025

Introduction

It is the goal of the County of Hidalgo, Texas to ensure that all employees are provided with a work environment that is free of discrimination and unlawful harassment. For this reason, this training has been developed to provide you with an understanding of what is considered Sexual Harassment and the policies in place regarding this issue.

Since 1995, a great many changes have taken place in the general understanding of sexual harassment and in the information available on the Internet. There is now a greater knowledge about the extent and impact of sexual harassment in schools and the workplace. Businesses have taken the issue seriously and many provide training for employees. The Internet is plastered with commercial websites offering information, products and services.

Sexual harassment is a legal concept developed originally to address a particular type of sexual discrimination. In brief, sexual harassment is unwelcome behavior of a sexual nature that makes someone feel uncomfortable or unwelcome in the workplace by focusing attention on their gender instead of on their professional qualifications. The concept applies now to both women and men, to adults and to children.

The Equal Employment Opportunity Commission (EEOC) requires all organizations with more than 15 employees to develop a sexual harassment policy, to make that policy public, and train employees in issues of sexual harassment. If you're not sure you're being harassed, talk to someone on the human resources department.

Defining Sexual Harassment

Sexual harassment is the legal term, initially created for the purpose of ending harassment and discrimination against women in the workplace. The term is constantly being redeemed and extended in legislation and court decisions. However, not all sexual behavior in the workplace is harassment, and the laws against sexual harassment do not extend to situations outside the workplace or school.

The basic definition of sexual harassment comes from the EEOC-unwelcome sexual advances, request for sexual favor, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating hostile or offensive work environment.

This definition has been further elaborated the victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.

The legal definition of sexual harassment, as developed by the courts, includes different types of sexual contact. Unlawful sexual harassment may occur without economic injury to or discharge of the victim. The harasser's conduct must be unwelcome.

Categories of Harassment

Quid Pro Quo Sexual Harassment-the Latin phrase meaning "something for something." This type of harassment occurs when, for example, a supervisor makes unwelcome sexual advances towards a subordinate employee and submission to the advances is an expressed or implied condition of employment for receiving job benefits; or refusal to submit to the demands results in a loss of a job-benefit or in termination of employment.

It is sufficient to show a threat of economic loss to prove Quid Pro Quo Sexual Harassment. A single sexual advance may constitute harassment if it is linked to the granting or denial of employment benefits. A subordinate who submits and then changes her or his mind and refuses can still bring quid pro-quo-sexual harassment charges.

Hostile Environment Sexual Harassment – Occurs when unwelcome sexual conduct unreasonable interferes with an individual's job performance or creates a hostile, intimidating or offensive work environment even though the harassment may not result in tangible or economic job consequences, that is, the person may not lose pay or a promotion. Employers, supervisors, co-workers, customers, or clients can create a hostile work environment. Hostile Environment Sexual Harassment might include:

- Repeated requests for sexual favors
- Demeaning sexual inquiries and vulgarities
- Offensive language
- Other verbal or physical conduct of sexual or degrading nature
- Sexually offensive, explicit or sexist signs, cartoon, calendars, literature or photographs displayed in plain view
- Offensive and vulgar graffiti
- Sexual Favoritism-if a female, for example is granted a promotion over a Male co-worker because she submits to unwelcome request for sexual favors from a supervisor, then both male and female co-workers may allege sexual harassment.
- Harassment by Non-Employees-the County may be liable for the Sexual Harassment of employees by constituents, or other third parties, if the county had some degree of control to stop the improper behavior.

Third-Party Sexual Harassment

Third-Party Sexual Harassment may be either Quid Pro Quo or Hostile Environment. Men and women may bring such claims. Third-party Sexual Harassment describes sexual harassment of employees who are not themselves the target of the harassment. Third-party Sexual Harassment may be either Quid Pro Quo or Hostile Environment. Men and women may bring such claims.

Quid Pro Quo Third Party Sexual Harassment occurs when employees who are not themselves harassed lose potential job benefits to other less qualified employees who submit to harassment.

Hostile Environment Third Party Sexual Harassment occurs when employees who are not themselves harassed must work in an atmosphere where such harassment is pervasive. If preferential treatment is given to employees who grant sexual favors, the motivation and work performance of other employees may be negatively affected.

Constructive Discharge occurs when the employer deliberately makes the working conditions so terrible that a reasonable person would find them intolerable. Constructive discharge can occur only when the employee quits because of harassment and gave the employer notice of the harassment and an opportunity to remedy the situation.

Retaliation against an employee who opposed sexual harassment or made a charge or participated in an investigation is prohibited under Title VII. Retaliation might include:

- Dismissal
- Demotion
- Transfer
- Negative Evaluation

Employee behaviors that are protected include:

- Resisting advances
- Registering a complaint of sexual harassment
- Employee Picketing
- Notifying law enforcement authorities

Employer's Liability

An employer can be held liable for the creation of a hostile environment by a supervisor, by non-supervisory personnel, or by the acts of the employer's customers or independent contractor if the employer has knowledge of such harassment and fails to correct it.

There are conditions that determine liability for employers in cases of hostile environment sexual harassment:

- The employer knew or should have known about the harassment
- The employer failed to take appropriate corrective action

An employer may be expected to know about the hostile environment if

- There was a complaint to the Management
- Management failed to establish a policy against sexual harassment
- The harassment is openly practiced or well-known among employees

Hidalgo County Policy

Employers should establish, distribute to all employees, and enforce a policy prohibiting harassment and setting out a procedure for making complaints. In most cases, the policy and procedure should be in writing. If the County conducts a prompt, thorough, and impartial investigation of any complaint that arises and undertakes swift and appropriate corrective action, it will have fulfilled its responsibility to “effectively prevent and correct harassment.”

An employer’s anti-harassment policy should make clear that the employer will not tolerate harassment based on race, sex, religion, national origin, age, or disability, or harassment based on participation or opposition to participation in complaint proceedings. The policy should also state that the employer will not tolerate retaliation against anyone who complains of harassment or who participated in an investigation.

Hidalgo County will protect the confidentiality of harassment complaints *to the extent possible*.

The County of Hidalgo, Texas has adopted policies addressing Sexual Harassment and Procedures to report it.

If you are subject to Civil Service Procedures, the following Policy (Attachment A) applies to you: Hidalgo County, Texas Civil Service Commission Anti-Harassment Policy:

- *Section 5.0*
- *Section 5.01*
- *Section 5.02*

If you are subject to the Hidalgo County Personnel Policy Manual (Attachment B), and Exempt from Civil Service, the following Policy applies to you:

Anti- Harassment/Discrimination:

- *Section 9.03*
- *Section 9.04*
- *Section 9.05*
- *Section 9.06*
- *Section 9.07*
- *Section 9.08*

Important Note: Employees at all-time must follow proper protocol when filing a complaint. It is Employee's responsibility to know their departments/offices operating and administrative procedures in reporting a complaint.

Employee Responsibility

If you are the victim of Harassment in the work place, speak up. Be sure to say "NO" clearly, firmly and without smiling. There is a chance that the harasser does not realize the behavior is offensive; you must be firm in saying that you are offended. If you decide to file charges later, it's helpful (although not necessary) to have objected to the behavior. If you smile or act unsure of yourself, the harasser may think you're saying "Yes" instead of "No." Practice with a friend until you can say, "That behavior offends me" in a way that is firm and clear.

Keep Records. Keep track of what happens and keep any letters or notes of other documents or artifacts you receive. Write down the dates, time, places, and an account of what happened. Write down the names of any witness.

Hidalgo County's designee for all Sexual Harassment Complaints is the HR Manager.

Charges of sexual harassment are serious because Sexual Harassment is illegal. Therefore, if you are accused of Sexual Harassment, you should take steps to learn everything you can about the situation, the laws and regulations, and the County's policies and procedures.

The employee must also familiarize themselves with the procedures for filing formal complaints with the Hidalgo County Human Resource Department. Civil Service Employees will follow the procedures as outlined in the Hidalgo County, Texas Civil Service Commission Rules Policy (Attachment A) Non Civil Service Employees will follow the procedures as outlined in the Hidalgo County Personnel Policy Manual (Attachment B).

Additional Reporting Avenues

An employee should report the Harassment to their Elected Official Department Head or HR Manager, via policy and procedures for resolution and provide the County with the opportunity to resolve the issue. The employee may also contact the local EEOC office.

Employee Accused of Sexual Harassment

No Employee shall ever create a hostile work environment by harassing another employee or supervisor.

If charges of Sexual Harassment against you are informal, and someone accuses you of sexual harassment, you should listen carefully to understand the person's point of view. Making a joke of your behavior is inappropriate and is very likely to exacerbate the situation. Retaliation is illegal. Respect the other person's point of view and interpretation of the situation and cease the behavior that is offending that person.

If charges of Sexual Harassment against you are formal, and you are formally charged with Sexual Harassment by some authority within the County, you should immediately contact the appropriate person in the Human Resources Department and get information and assistance.

Under no circumstances should you act in a way that might be construed as retaliation, such as making counter charges, because such retaliation is also illegal. Most supervisors and HR professionals are interested in mainly resolving situations; your cooperation will go far toward that goal and will most likely result in the least harm to yourself, to the person making the charges, and to the County.

ATTACHMENT A

Hidalgo County
Civil Service Commission Rules-August 31, 2006

Chapter V
Standards of Conduct

NON-DISCRIMINATION

5.0 No person employed by the County and/or district shall discriminate against anyone on the basis of race, sex, national origin, citizenship, age, religious preference, physical handicap or veterans status nor shall any employee participate in any function that violates, either directly or indirectly, the civil rights of other employees or any member of the general public.

SEXUAL HARASSMENT

5.01 Employees shall not:

- a. Engage in conduct constituting harassment; or
- b. Engage in conduct constituting retaliation against either an employee who files a complaint of sexual harassment or any person who gives information related to an employee's complaint of sexual harassment.

5.02 Sexual Harassment is defined as unwelcome sexual advances, request for sexual favors, or other sexual conduct, either verbal, physical, or visual conduct of a sexual nature, or any conduct or other offensive unequal treatment of an employee or group of employees that would not occur but for the sex of the employee or employees, when:

- a. The advance, request, or conduct has the effect interfering with performance of duties or creating an intimidating, hostile or otherwise offensive work environment; or
- b. Submission to such advance, request, or conduct is explicitly or implicitly a term or condition of employment; or
- c. Submission to or rejection of such advance, request, or conduct is used as a basis for employment decisions.

Employee Name (Please Print)

Date Received

Employee Signature

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TOBACCO USE POLICY

HIDALGO COUNTY CIVIL SERVICE COMMISSION RULES...Section 7.224

HIDALGO COUNTY PERSONNEL POLICY MANUALSection 9.59

9.59 Effective **July 1st 2018**, pursuant to the order of the Governing Authority:

- a. The use of all forms of tobacco products, including but not limited to cigarettes, cigars, pipes, water pipes (hookah), bidis, kreteks, electronic cigarettes, vapes, smokeless tobacco, snuff and chewing tobacco is prohibited in all designated areas.
- b. "Designated areas" is defined as all County or District property or premises, including but not limited to County or District owned, leased or controlled buildings and structures, sidewalks, parking lots, walkways, attached parking structures, and County vehicles assigned to or in use by County employee(s).
- c. This policy applies to all County employees and visitors in the designated areas; and
- d. County employees are advised that tobacco use cessation services may be available via the County/District Health Insurance Plan. Additionally, information regarding tobacco use cessation services is available at the Hidalgo County Health and Human Services Department and from the Texas Department of State Health Services at <https://www.yesquit.org/>.

Approved by Hidalgo County Commissioners Court on March 20, 2018

Approved by Hidalgo County Civil Service Commission on April 19, 2018

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INFORMATION TECHNOLOGY SECURITY POLICIES

- Introduction:** Network and data computer systems and infrastructure are meant to be used to grant access to Hidalgo County Information Resources. These resources provide a means of providing access to information and accountability of said access. This accountability is the key to any computer security program, for Information Resources usage. This means that creating, controlling and monitoring all Information Resources is extremely important to the overall security program.
- Purpose:** To ensure that its Information Resources are used properly by its employees, independent contractors, agents and other computer users, Hidalgo County has created these Information Technology Security Policies. The purpose of these policies is to establish rules for the creation, monitoring, control and removal of access to all Information Resources.
- Audience:** The rules and obligations described in this Policy apply to all users of Hidalgo County's computer network, wherever they may be located. Violations will be taken very seriously and may result in disciplinary action, including possible termination, and civil and criminal liability.
- Definitions:** **Information Resources (IR):** The term "Information Resources" refer to Hidalgo County's entire computer network, equipment, data and related peripherals regardless of where they are located. Specifically, Information Resources includes any and all computer printouts, online display devices, magnetic storage media and all computer-related activities involving any device capable of receiving email, text messaging, messaging, blogging, posting on public social networking sites, browsing internet sites or otherwise capable of receiving, storing, managing, or transmitting electronic data including, but not limited to: Mainframes, servers, GPS tracking devices, GIS equipment, mobile phones, personal computers, personal digital assistant (PDA), pagers, distributed processing systems, network attached and computer controlled medical and laboratory equipment (i.e. embedded technology), audio visual equipment, telecommunication resources, network environments, telephones, fax machines, printers, service bureaus and any future technology that may arise. Additionally, it is the procedures, equipment, facilities, software and data that are designed, built, operated and maintained to create, collect, record, process, store, retrieve, display and transmit information.

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Chief Information Officer (CIO): Responsible to the County of Hidalgo County, Texas for management of the agency's information resources. This designation is intended to establish clear accountability of setting policy for information resources management activities, is responsible for the security of the resources, provide for greater coordination of the county's information activities and ensure greater visibility of such activities within and between state agencies. The CIO has been given authority and the accountability by the County of Hidalgo, Texas to implement Security Policies, Procedures, Practice Standards and Guidelines to protect the Information Resources of the agency.

System Administrator: Person responsible for the effective operation and maintenance of specific departmental Information Resources, including implementation of standard procedures and controls to enforce the county's security policy. Because of statutory limitations and department specific responsibilities, the following departments within the County have System Administrators that report directly to the appointed official or elected official, and not the CIO: County Auditor, Sheriff's Office, District Attorney, Health Department and Tax Office.

These System Administrators are bound by these policies in their respective systems and applications.

User: Person who is the end client for an application on an information system. The user neither owns the IR resource or the data. Generally a user is any County department and/or elected office employee with access to a computer, who is neither IR system administrator, part of the IT staff, elected official or department head.

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Policy 1.00 - Acceptable Use Policy

The computer system is the property of Hidalgo County and may be used only for legitimate business purposes. Users are permitted access to the computer system to assist them in the performance of their jobs. All users have the responsibility to use computer resources in a professional, ethical, and lawful manner. Use of the computer system is a privilege that may be revoked at any time.

Acceptable Use Acceptable computer information systems use is limited to the following:

- A. Incidental communication among Hidalgo County authorized users and professional colleagues which facilitates work assignments and professional development or debate in a work-related field of knowledge.
- B. Communication with professional associations, governments, universities, businesses and/or individuals associated with the facilitation of County business, research and education efforts as authorized by the Department Head/Elected Official.
- C. Distribution of information to the general public whereby such information is made available under the county guidelines and policies for the release of information and the Freedom of Information Act.

Unacceptable Use

- A. Personal use not related to the conduct of work on behalf of Hidalgo County or other organizations as set forth in agreements and contracts with Hidalgo County.
- B. To gain unlawful access to information or computer and communication resources.
- C. Intentional introduction of, or experimentation with, malicious code including but not limited to computer worms or viruses.
- D. Illegal, fraudulent or malicious activity; political activity; religious promotion; or activity on behalf of organizations or individuals having no affiliation with Hidalgo County.
- E. Transmission of material in violation of applicable copyright laws or patents, including, but not limited to music, movies and software.
- F. Pornographic material or content that could be found to be offensive.
- G. Purchase and downloading of copyrighted material using the County's network. This refers specifically to online content stores.
- H. The intentional sending of messages that is likely to result in the loss of recipient's work or system and any other types of use which could cause congestion including, but not limited to the network or otherwise interfere with the work of others.
- I. Generation, storage, transmission or other use of data or other matter which is abusive, profane, or offensive to a reasonable person.

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- J. Generation, storage, transmission of confidential or otherwise non-public information on County owned mobile devices (laptops, phones, PDAs, etc.) without proper safeguards such as passwords, encryption or security keys.
- K. Passwords used to gain access to non-County Internet sites must not be the same passwords used on any Hidalgo County computer system.

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Policy 2.00 – Account Management Policy

- All accounts created must have an associated request and approval from the IR systems administrator for the Hidalgo County system or service.
- All users are subject by the Hidalgo County Information Technology Privacy Policy once access is given to an account.
- All accounts must be uniquely identifiable using the assigned user name. (i.e. *username.userlastname*)
- All default passwords for accounts must be constructed in accordance with the Hidalgo County Password Policy.
- All accounts must have a password expiration that complies with the Hidalgo County Password Policy.
- Accounts of individuals on extended leave (more than 30 days) will be disabled.
- All new user accounts that have not been accessed within 30 days of creation will be disabled.
- System Administrators or other designated staff:
 - ❖ are responsible for removing the accounts from the system they manage, of individuals that change roles within Hidalgo County or are separated from their relationship with Hidalgo County
 - ❖ must have a documented process to modify a user account to accommodate situations such as name changes, accounting changes and permission changes
 - ❖ must have a documented process for periodically reviewing existing accounts for validity are subject to independent audit review
 - ❖ must provide a list of accounts for the systems they administer when requested by authorized Hidalgo County management
 - ❖ must cooperate with authorized Hidalgo County management investigating security incidents.

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Policy 3.00 – Admin/Special Access Policy

- All Hidalgo County departments and agencies must submit to IT a list of administrative contacts for their systems that are connected to Hidalgo County information resources.
- All users of Administrative/Special access accounts must be authorized by the IR system administrator.
- Each individual that uses Administrative/Special access accounts must refrain from abuse of privilege and must not engage in investigations. All requests for investigations must be processed according to the INCIDENT MANAGEMENT POLICY.
- Each individual that uses Administrative/Special access accounts must use the account privilege most appropriate with work being performed (i.e., user account vs. administrator account).
- Each account used for administrative/special access must meet the Hidalgo County Password Policy.
- The password for a shared administrator/special access account must change when an individual with the password leaves the department or Hidalgo County.
- In the case where a system has only one administrator there must be a password escrow procedure in place so that someone other than the administrator can gain access to the administrator account in an emergency situation.
- When Special Access accounts are needed for Internal or External Audit, software development, software installation, or other defined need, they:
 - ❖ must be authorized by the IR system administrator
 - ❖ must be created with a specific expiration date
 - ❖ must be removed when work is complete

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Policy 4.00 – Change Management Policy

- Every change to a Hidalgo County Information Technology resource such as: operating systems, computing hardware, networks, and applications are subject to the Change Management Policy and must follow the Change Management Procedures.
- All changes and request for changes affecting computing environmental facilities (e.g., air-conditioning, security devices, all monitoring devices, cameras, phone systems, building additions or remodeling, electricity, and alarms) must be reported to the IR system administrator, department head/Elected Official and the CIO.
- A formal written change request must be submitted for all changes, both scheduled and unscheduled, to IR system administrator and the CIO.
- All scheduled change requests must be submitted to the IR system administrator and the CIO, in order to timely review the request, determine potential failures and make the decision to allow or delay the request.
- The IT Department may ask to delay a scheduled or unscheduled change for reasons including, but not limited to, inadequate planning, inadequate back out plans, the timing of the change will negatively impact a key business process such as year-end accounting, it will affect overall network security or if adequate resources cannot be readily available. Adequate resources may be a problem on weekends, holidays, or during special events.
- User notification must be completed for each scheduled or unscheduled change following the steps contained in the Change Management Procedures.
- A Change Review must be completed for each change, whether scheduled or unscheduled, and whether successful or not.
- A Change Management Log must be maintained for all changes. The log must contain, but is not limited to:
 - ❖ Date of submission and date of change
 - ❖ Owner and custodian contact information
 - ❖ Nature of the change
 - ❖ Indication of success or failure
- All County of Hidalgo, Texas information systems regardless of the department where the system is, must comply with an Information Resources change management process that meets the standards outlined above.
- Users may not install unauthorized software or hardware on without prior approval of the IT Department.

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Policy 5.00 – Backup/Disaster Recovery Plan (DRP)

- The frequency and extent of backups must be in accordance with the importance of the information on the system and the acceptable risk as determined by the data owner.]
- All System Administrators must keep and maintain a Disaster Recovery Plan for their assigned system.
- The Hidalgo County information resources backup and recovery process for each system must be documented and periodically reviewed by the IR system administrator and submit a copy to the CIO.
- In case there is a vendor(s) providing offsite backup storage for Hidalgo County must be cleared to handle the highest level of information stored.
- Physical access controls implemented at offsite backup storage locations must meet or exceed the physical access controls of the source systems. Additionally backup media must be protected in accordance with the highest Hidalgo County sensitivity level of information stored.
- Backups must be periodically tested to ensure that they are recoverable.
- Signature cards held by the offsite backup storage vendor(s) for access to Hidalgo County backup media must be reviewed annually or when an authorized individual leaves Hidalgo County.
- Procedures between Hidalgo County and the offsite backup storage vendor(s) must be reviewed at least annually.
- Backup tapes should have at a minimum the following identifying criteria that can be readily identified by labels and/or a bar-coding system:
 - ❖ System name
 - ❖ Creation Date
 - ❖ Sensitivity Classification [Based on applicable electronic record retention regulations.]
 - ❖ Hidalgo County Contact Information.

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Policy 6.00 – Incident Management Policy

- Whenever a security incident, such as a inappropriate content, copyrighted material, virus, worm, hoax email, discovery of hacking tools, altered data, etc. is suspected or confirmed the Incident Management procedures must be followed:
- The department user is responsible for notifying the IR system administrator, department head/ elected official of that department so as to initiate the appropriate incident management action including restoration as defined in the Incident Management Procedures. The user may contact the CIO directly.
- The department head/ elected official of that department are responsible for notifying the CIO.
- The CIO is responsible for determining the physical and electronic extent of the incident and will determine the need of an investigation of the incident. The CIO is responsible for coordinating communications with outside organizations and law enforcement.
- The IT Department can at any time remove access from any user as it deems appropriate for the overall benefit of the entire county wide IT infrastructure.
- The appropriate technical resources from the IT department are responsible for monitoring that any damage from a security incident is repaired or mitigated and that the vulnerability is eliminated or minimized where possible.
- The CIO and IT department will determine if a widespread Hidalgo County communication is required, the content of the communication, and how best to distribute the communication.
- The appropriate technical resources from the IT Department are responsible for communicating new issues or vulnerabilities to the system vendor and working with the vendor to eliminate or mitigate the vulnerability.
- The IT Department is responsible for initiating, completing, and documenting the incident investigation as reporting the incident to:
 - ❖ Local, state or federal law officials as required by applicable statutes and/or regulations
- In the case where law enforcement is not involved, the CIO will recommend disciplinary actions, if appropriate, to the elected official or department head.

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Policy 7.00 – Network Configuration Policy

- Hidalgo County Information Technology is responsible for the Hidalgo County network infrastructure in its entirety and will continue to manage further developments and enhancements to this infrastructure.
- To provide a consistent Hidalgo County network infrastructure capable of exploiting new networking developments, all cabling must be installed by Hidalgo County IT, IR system administrator or an approved contractor.
- All network connected equipment must be provided by and configured to a specification approved by Hidalgo County IT.
- All network equipment connected to Hidalgo County networks is subject to Hidalgo County IT management and monitoring standards. (with certain exceptions: Law enforcement)
- Changes to the configuration of active network management devices must not be made without the approval of the Hidalgo County IT Department.
- The Hidalgo County network infrastructure supports a well-defined set of approved networking protocols. Any use of non-sanctioned protocols must be approved by Hidalgo County IT.
- The networking addresses for the supported protocols are allocated, registered and managed centrally by Hidalgo County IT.
- All connections of the network infrastructure to external third party networks are the responsibility of Hidalgo County IT. This includes connections to external telephone networks.
- The use of departmental firewalls and other computer related security devices is not permitted without the written authorization from Hidalgo County IT.
- Users must not extend or re-transmit network services in any way. This means you must not install a router, switch, hub, or wireless access point to the Hidalgo County network without Hidalgo County IT approval.
- Users must not install network hardware or software that provides network services without Hidalgo County IT approval.
- Users are not permitted to alter network hardware in any way.

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Policy 8.00 –Password Policy

- Passwords must be changed at least every 90 days.
- Passwords should contain a mix of upper and lower case characters and have at least 2 numeric characters. The numeric characters must not be at the beginning or the end of the password. Special characters should be included in the password where the computing system permits. The special characters are (!@#\$%&/\.&* _+=?iv';:,< > 1\).
- Passwords must not be easy to guess and they:
 - ❖ should not be your Username, must not be your employee number, must not be your name, must not be family member names, must not be your nickname, must not be your social security number, must not be your birthday, must not be your license plate number, must not be your pet's name, must not be your address, must not be your phone number, must not be the name of your town or city, must not be the name of your department, must not be street names, must not be makes or models of vehicles, must not be slang words, must not be obscenities, must not be technical terms, must not be school names, school mascot, or school slogans, must not be any information about you that is known or is easy to learn (favorite - food, color, sport, etc.), must not be any popular acronyms, must not be words that appear in a dictionary, must not be the reverse of any of the above.
- Passwords must not be reused for a period of one year
- Passwords must not be shared with anyone
- Passwords must be treated as confidential information

Suggestions on creating a strong password:

- Combine short, unrelated words with numbers or special characters. For example: eAt42peN
- Make the password difficult to guess but easy to remember
- Substitute numbers or special characters for letters. (But do not just substitute) For example:
 - ❖ livefish - is a bad password
 - ❖ L1veF1sh - is better and satisfies the rules, but setting a pattern of 1st letter capitalized, and is substituted by 1's can be guessed
 - ❖ I!v3f1Sh - is far better, the capitalization and substitution of characters is not predictable.

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Policy 9.00 –Physical Access Policy

- All physical security systems must comply with all applicable regulations such as, but not limited to, building codes and fire prevention codes.
- Physical access to all Information Resources restricted facilities must be documented and managed.
- All IR equipment, systems and facilities must be physically protected in proportion to the criticality or importance of their function at Hidalgo County.
- Access to Information Resources facilities must be granted only to Hidalgo County support personnel, and contractors, whose job responsibilities require access to that facility.
- The process for granting card and/or key access to Information Resources facilities must include the approval of the person responsible for the facility.
- Each individual that is granted access rights to an Information Resources facility must receive emergency procedures training for the facility and must sign the appropriate access and non-disclosure agreements.
- Requests for access must come from the applicable Hidalgo County data/system owner.
- Access cards and/or keys must not be shared or loaned to others.
- Access cards and/or keys that are no longer required must be returned to the person responsible for the Information Resources facility. Cards must not be reallocated to another individual bypassing the return process.
- Lost or stolen access cards and/or keys must be reported to the person responsible for the Information Resources facility.
- All Information Resources facilities that allow access to visitors will track visitor access with a sign in/out log.
- A service charge may be assessed for access cards and/or keys that are lost, stolen or are not returned.
- Card access records and visitor logs for Information Resources facilities must be kept for routine review by the IR system administrator, elected official or department head based upon the importance of the Information Resources being protected. The person responsible for the Information Resources facility must remove the card and/or key access rights of individuals that change roles within Hidalgo County or are separated from their relationship with Hidalgo County.
- Visitors must be escorted in card access controlled areas of Information Resources facilities.
- The person responsible for the Information Resources facility must review access records and visitor logs for the facility on a periodic basis and investigate any unusual access.
- The person responsible for the Information Resources facility must review card and/or key access rights for the facility on a periodic basis and remove access for individuals that no longer require access.
- Signage for restricted access rooms and locations must be practical, yet minimal discernible evidence of the importance of the location should be displayed.

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Policy 10.00 – Information Technology Privacy Policy

- ALL Electronic media (analog and digital, video, audio, text messages blog entries, data files or other media) created, sent, received, recorded or otherwise stored on information resources owned, leased, administered, connected to or otherwise under the custody and control of Hidalgo County are not private and may be accessed by Hidalgo County at any time without knowledge of the IR user or owner.
- Electronic media controlled by Law Enforcement may, in certain cases, be deemed evidence and not subject to access by non-law enforcement staff.
- To manage systems and enforce security, Hidalgo County may log, record, review, and otherwise utilize any information stored on or passing through its IR systems in accordance with the provisions and safeguards provided in the Texas Administrative Code 202, Information Resource Standards. For these same purposes, Hidalgo County may also capture user activity such as: emails, telephone numbers dialed, web sites visited, etc.
- A wide variety of third parties have entrusted their information to Hidalgo County for business purposes, and all workers at Hidalgo County must do their best to safeguard the privacy and security of this information. The most important of these third parties is the individual customer; customer account data is accordingly confidential and access will be strictly limited based on business need for access.
- Users may not use county stored data for personal gain or individual profit.
- Users must report any weaknesses in Hidalgo County computer security, any incidents of possible misuse or violation of this agreement to the proper authorities by contacting the appropriate management.
- Users must not attempt to access or install any data or programs contained on Hidalgo County systems for which they do not have authorization or explicit consent from the department system administrator or the IT department.

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Policy 11.00 – Security Training Policy

- IT policies are included in the County wide policy and procedure manuals.
- IT must develop and maintain a communications process to be able to communicate new computer security program information, security bulletin information, and security items of interest.

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Policy 12.00 – Software Licensing Policy

- Hidalgo County provides a sufficient number of licensed copies of software such that workers can get their work done in an expedient and effective manner. Management must make appropriate arrangements with the involved vendor(s) for additional licensed copies if and when additional copies are needed for business activities.
- Third party copyrighted information, software, audio and video files, that Hidalgo County does not have specific approval to store and/or use, must not be stored on Hidalgo County systems or networks. Systems administrators will remove such information and software unless the involved users can provide proof of authorization from the rightful owner(s).
- Third party software in the possession of Hidalgo County must not be copied unless such copying is consistent with relevant license agreements and prior management approval of such copying has been obtained, or copies are being made for contingency planning purposes.
- IR System administrators through the IT department will publish a list of authorized software that can be installed on PCs and will be supported. Any software not on this list must be installed only by specific permission from the IR System administrator.
- IT and the IR System administrator will reserve the right to remove any software that it deems unnecessary, therefore unsupported.

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Policy 13.00 – Virus Protection

- All workstations whether connected to the Hidalgo County networks, or standalone, must use the Hidalgo County approved virus protection software and configuration.
- The virus protection software must not be disabled or bypassed.
- The settings for the virus protection software must not be altered in a manner that will reduce the effectiveness of the software.
- The automatic update frequency of the virus protection software must not be altered to reduce the frequency of updates.
- Each file server attached to the Hidalgo County network must utilize Hidalgo County IT approved virus protection software and setup to detect and clean viruses that may infect file shares.
- E-mail gateway(s) must utilize Hidalgo County IT approved e-mail virus protection software and must adhere to the IT rules for the setup and use of this software.
- Every virus that is not automatically cleaned by the virus protection software constitutes a security incident and must be reported to the IR system administrator and the IT Department.

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Policy 14.00 – I.T. Staffing

- The Information Technology Department is the only department that maintains and manages Information Technology systems, equipment and infrastructure on a countywide level.
- All job titles that include the term "IT", "computer", "PC", "telephone", "network", "GIS", or are of a computer related nature are for the exclusive use of the IT Department.
- The title IT Manager must be exclusively used for the IT Department.
- All IT Department staff is bound by confidentiality agreements signed upon entry into the department.

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Policy 15.00 – Vacation Leave Policy

Purpose

The purpose of this Policy is to establish guidelines for countywide technology personnel vacation time guidelines.

Audience

This policy applies to all regular, full-time staff of the Information Technology Department and any department that has staff with information technology job duties.

All regular, full-time staff employees are eligible for paid annual leave, traditionally referred to as "vacation" leave, in accordance with the Hidalgo County approved schedule (refer to Civil Service Commission Rules Chapter VII, Section 7.37-7.38). Every employee eligible for paid annual leave should, whenever possible, take annual leave in order to prevent any loss of accrued annual leave at the end of the calendar year. In order to ensure that all employees abide by this directive, I.T. Management will conduct a "Leave and Earning Statement Review" with each employee before the end of each calendar year (see attached Leave and Earning Statement). The purpose of this review is to clearly outline the employee's annual leave accrued and maximum carry-over for the subsequent year.

All leave requests should be submitted using the following procedure (refer to Civil Service Commission Rules Chapter VII, Section 7.20):

Every request for leave must:

- a) Be submitted to the Department Head/Elected Official, in writing, on a Form SFA-CA-044 which is signed by the employee;
- b) Clearly reflect when the requested leave is to begin and end;
- c) Include a brief explanation setting forth the reasons for taking the requested leave;
- d) To the extent applicable, be accompanied by any required documentation, such as a doctor's statement or military orders; and
- e) Be approved or disapproved, in writing, by the both employee's supervisor and by the Department Head.

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It is mandatory that all IT personnel take at least forty hours of leave a year. These hours must be taken concurrently. The hours can be counted against ANNUAL leave, COMP time or any other type of earned time. The purpose of this policy is to mandate that all technology staff take a full week of vacation at least once a year.