

Montgomery ISD

Employee Handbook 2011-2012

Our Standard is Excellence

It is the policy of Montgomery ISD to not discriminate against any employee or applicant for employment on the basis of race, color, religion, national origin, gender, age, disability, military status, genetic information, or any other basis prohibited by law in providing educational services, activities and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964 as amended/ Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended/ the Age Discrimination Act of 1975, as amended/ and Title II of the Americans with Disabilities Act. Montgomery ISD will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in all educational and vocational programs. For information about your rights or grievance procedures, contact the Title IX Coordinator, Bobby Morris., at 13159 Walden Rd. Montgomery, TX 77356, 936-582-1333, and/or the Section 504 Coordinator, Kim Howze, at 700 Dr. Martin Luther King Jr. Drive, Montgomery, TX 77356, 936-597-6407.

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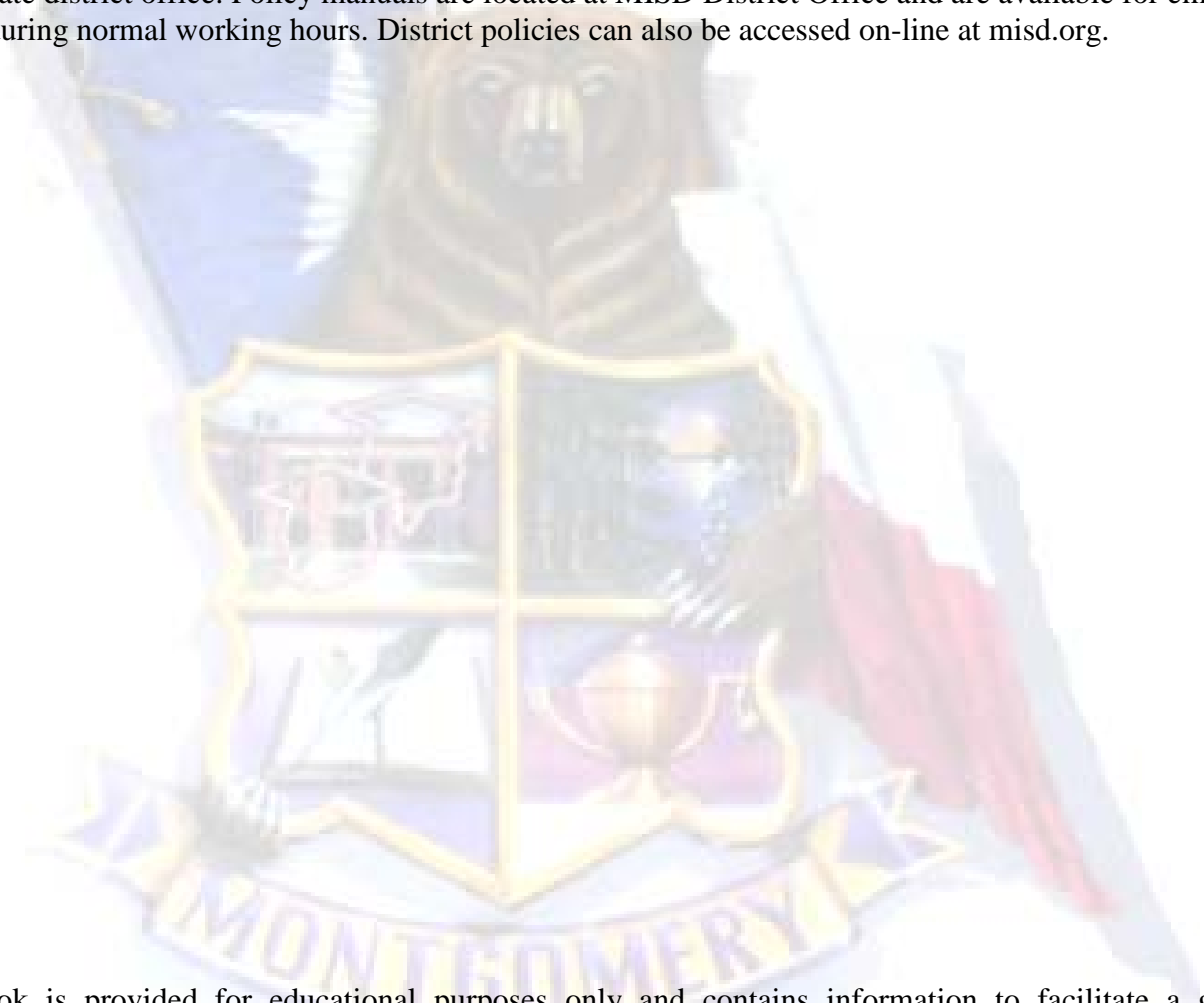
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Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Although all district policies and procedures are not referenced, all policies are made available online at www.misd.org, under *About MISD, MISD Board Policy Online*.

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies. District policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. Policy manuals are located at MISD District Office and are available for employee review during normal working hours. District policies can also be accessed on-line at misd.org.



This book is provided for educational purposes only and contains information to facilitate a general understanding of the law. It is not an exhaustive treatment of the law nor is it intended to substitute for advice of an attorney. It is important for you to consult with your own attorneys in order to apply these legal principles to specific fact situations. © 2011 by Texas Association of School Boards, Inc. All rights reserved.

EMPLOYEE HANDBOOK RECEIPT 2011-2012

Name (Please Print) _____

Campus/Department _____

I hereby agree to read the Montgomery ISD Employee Handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy.

Directions for Accessing Electronic Format:

1. www.misd.org
2. Select "District Services" under "MISD Info"
3. Select "Employee Information Center"
4. Select "Employee Handbook (pdf)"

Please indicate your choice by checking the appropriate box below:

- I choose to receive the employee handbook in electronic format and accept responsibility for accessing according to the instructions provided.**
- I choose to receive a hard copy of the employee handbook.**

The information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or eliminate the information summarized in this booklet. As the district provides updated policy information, I accept responsibility for reading and abiding by the changes. All policies are made available online at www.misd.org, under *About MISD, MISD Board Policy Online*.

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

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

Employee Signature

Date

District information

Board of Trustees

Policies BA, BB series, BD series, and BE series

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

The board of trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Trustees are elected in May and serve 3-year terms. Trustees serve without compensation, must be registered voters, and must reside in the district.

Trustees usually meet the third Tuesday of each month at MISD District Office Board Room. In the event that large attendance is anticipated, the board may meet at MISD Student Performing Arts Center, located at Montgomery High School. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the District Office at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

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

Current Board Members:

President: Trish Mayne


Vice-President: Mary Miller

Secretary: Ken Thomet

Member: Dale Dossey
Skip Stanberry
David Eargle
Steve Williams

Administration and Helpful Contacts

From time to time, employees have questions or concerns. If those questions or concerns cannot be answered by supervisors or at the campus level, the employee is encouraged to contact the appropriate department at the extensions listed below.



Superintendent	Jim Gibson	5016
Chief Financial Officer	Sharon Fields	5018
Associate Supt. of Instructional Services	Babette Eikenberg	5026
Assistant Supt. of Administrative Services	Bobby Morris	5027
Director of Instructional Services	Sarah Hilburn	5061
Director of Child Nutrition	Carolyn Watson	5022
Director of Special Education	Kim Howze	3016
Director of Technology	Steve Bodman	3213
Director of Athletics	Clint Heard	3122
Director of Transportation	Mike Foster	3070
Math/Technology Coordinator	Maryann McDaniel	7811
Science/Technology Coordinator	Steven Koether	7812
ELA /Technology Coordinator	Brandi Hendrix	7814
Director of Maintenance	Keith Haws	3068
Benefits and Leave Specialist	Teresa Tipton	5042
Payroll Coordinator	Angela Raley	5025
Certification	Beverly Harrod	5027
Interim Chief of Police, MISD Police Dept	Brandon Torres	3105

Employment

Equal employment opportunity

Policies DAA, DIA

Montgomery ISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

Employees with questions or concerns relating to discrimination for any of the reasons listed above should contact, Bobby Morris, Assistant Superintendent of Administrative Services.

Job vacancy announcements

Policy DC

To the extent possible, announcements of job vacancies by position and location are posted on a regular basis and posted at the central administration building and on the website at misd.org.

Employment after retirement

Policy DC

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in limited circumstances on a full- or part-time basis without affecting their benefits, according to TRS rules and state law. Detailed information about employment after retirement is available in the TRS publication *Employment After Retirement*. Employees can contact TRS for additional information by calling 800-223-8778 or 512-542-6400. Information is also available on the TRS Web Site (www.trs.state.tx.us)

Contract and noncontract employment

Policies DC series

State law requires the district to employ all full-time professional employees in positions requiring a certificate from the State Board for Educator Certification (SBEC) and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at-will or by a contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the district.

Probationary contracts. Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive probationary contracts during their first year of employment if they have not been previously employed by the district. Former employees who are hired after a two-year lapse in district employment or employees who move to a position requiring a new class of certification may also be employed by probationary contract. The probationary period for those who have been employed in public schools for at least five of the eight years preceding employment with the district may not exceed one school year. For those with less experience, the probationary period will be three school years (i.e. three one-year contracts), with an optional fourth school year if the board determines it is doubtful whether a term or continuing contract should be given.

Term contracts. Full-time professionals employed in positions requiring certification and nurses will be employed by term contracts after they have successfully completed the probationary period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be accessed online, or copies will be provided upon request.

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

Credentials and records

Policy DBA

The district shall maintain current and complete personnel records on all employees. Personnel shall possess valid credentials before contracts are issued, duties are assigned, or payment is made from any source of funds. These records shall become the permanent property of the District and the State of Texas to be used for the proper maintenance of the personnel folder on the individual employee as required by law.

Certification and Licenses

Policy DBA

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to Human Resources in a timely manner.

A certified employee's contract may be voided without due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to extend a temporary certificate, emergency certificate, probationary certificate, or permit. A contract may also be voided if SBEC suspends or revokes certification because of an individual's failure to comply with criminal history background checks. Contact Human Resources if you have any questions regarding certification or licensure requirements.

Searches and alcohol and drug testing

Policy DHE

Noninvestigatory searches in the workplace, including accessing an employee's desk, electronic files, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the district reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, work areas, including district-owned computer and storage media, lockers, and private vehicles parked on district premises or work sites or used in district business.

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

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

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

Health safety training

Policies DBA, DMA

Nurses, physical education teachers, marching band directors, coaches, athletic trainers, or chief sponsors of an extracurricular athletic activity (including cheerleading) that is sponsored or sanctioned by the district or University Interscholastic League (UIL) must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), and extra curricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to Shelley Webb annually. Information on Texas Education Agency (TEA) requirements is available on the TEA Web Site <http://ritter.tea.state.tx.us/taa/health042109.html>

Reassignments and transfers

Policy DK

All personnel are subject to assignment and reassignment by the superintendent. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. When reassignments are due to enrollment shifts or program changes, the superintendent has final placement authority. Extracurricular or supplemental duty assignments may be reassigned at any time unless an extracurricular or supplemental duty assignment is part of a dual-assignment contract. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

Employees with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. Teachers requesting a transfer to another campus before the school year begins must submit his or her request. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resources office and must be approved by the receiving supervisor.

Workload and work schedules

Policies DEA, DL

Professional employees. Professional employees and academic administrators are exempt from overtime pay and are employed on a 10, 11, or 12 month basis according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including start and end dates and scheduled holidays will be distributed each school year.

Classroom teachers will have planning periods for instructional preparation and conferences. The schedule of planning periods is set at the campus level but must provide at least 450 minutes within each two-week period in blocks not less than 45 minutes. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The district may require teachers to supervise students one day a week when no other personnel are available.

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

Supplemental duties

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

Notification to parents regarding qualifications

Policies DK, DBA

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive days to a teacher who does not hold an appropriate teaching certificate. Inappropriately certified or uncertified teachers includes individuals on an emergency permit (including individuals waiting to take the appropriate certification exams) and individuals who do not hold any certificate or permit. No later than the 30th instructional day after the date of assignment the superintendent or designee will send a written notice to parents. Information relating to teacher certification will be made available to the public upon request.

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

Employees who have questions about their certification status can call Beverly Harrod in the Human Resources Department.

Outside employment and tutoring

Policy DBD

Employees who wish to accept outside employment or engage in other activities for profit must submit a written request to their supervisor. Approval for outside employment will be determined by the superintendent and based on whether outside employment interferes with the duties of the regular assignment. Teachers are not allowed to privately tutor their students for pay, except during the summer months.

Camps, clinics, and workshops

Employees who wish to offer camps, clinics, or workshops must submit a Request for Use of School Facility form prior to the event. The request form is available from the individual campus Principal's office or the Athletic Director's office. All completed forms are to be signed by the principal or Athletic Director and must be reviewed by the Chief Financial Officer **prior** to advertising for the camp, clinic, or workshop. After the conclusion of the event, a Record of Use of School Facility form (available from the campus office or Athletic Director's office) must be signed by the principal or Athletic Director and submitted to the Chief Financial Officer.

Performance evaluation

Policy DN Series

Evaluation of an employee's job performance is a continual process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

A teacher may be appraised less frequently if the teacher agrees in writing and has met the MISD criteria for placement on the PDAS Alternating Cycle.

Employee involvement

Policies BQA, BQB

At both the campus and district levels, Montgomery ISD offers opportunities for involvement in matters that affect employees. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office or from the Assistant Superintendent of Administrative Services.

Staff development

Policy DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan, and approved by a campus-level advisory committee. Staff development for noninstructional personnel is designed to meet specific licensing requirements (e.g., bus drivers) and continued employee skill development.

Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation.

Change in degree status

Teachers receiving advanced degrees (master's or doctorate) should inform Terry Roddy in the Human Resources Department as soon as possible. The official transcript must be placed on file as soon as possible after the degree has been conferred. Salary adjustments for advanced degrees will be processed upon verification of conferment of the degree and adjustments made only at the beginning of each school semester (August and January).

Compensation and benefits

Salaries, wages, and stipends

Policies DEA, DEAA

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration and adjusted as needed. The 2011-2012 hiring schedules are posted to the website at www.misd.org. These schedules are developed for one year only and future salaries cannot be predicted from the hiring schedule. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid based on hourly wages or provided compensatory time for each overtime hour worked. (See *Overtime*.)

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

Employees should contact the Human Resources Department for information about their own pay or www.misd.org for Frequently Asked Questions about the MISD Compensation Pay Plan.

Annualized Compensation

Policy DEA

The district pays all salaried employees over 12 months regardless of the number of months employed during the school year. Salaried employees will be paid in equal monthly payments, beginning with the first pay period of the school year. A salaried employee who separates from service before the last day of instruction or retires under TRS, will receive in his or her final paycheck, a lump sum payment for wages actually earned from the beginning of the 12 month pay period until the date of separation. Employees that separate on or after the last day of instruction will continue to receive paychecks through the end of the summer.

Paychecks

All employees are paid monthly. During the school year, paychecks are delivered to each campus. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. During summer breaks, paychecks will be mailed to staff members who are not on duty.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

The schedule of pay dates for the 2011-2012 school year are as follows:

10 months September thru August

11 months August thru July

12 months July thru June

2011-2012 Pay Dates

- September 15, 2011
- October 14, 2011
- November 15, 2011
- December 15, 2011
- January 13, 2012
- February 15, 2012
- March 9, 2012
- April 13, 2012
- May 15, 2012
- June 15, 2012
- July 13, 2012
- August 15, 2012

Payroll-Direct Deposit

Employees must have their paychecks electronically deposited into an account at any bank. A notification period of 1 month is necessary to activate this service. With direct deposit, an employee's pay is immediately available on the pay date. Contact the Payroll Department for more information about the direct deposit.

Any changes that will affect benefits and/or pay must be submitted in writing to the Payroll Department by **the first business day of each month.**

Payroll deductions

Policy CFEA

Payroll deductions for the Teacher Retirement System of Texas (TRS) or Social Security employee contributions and Federal income tax are required for all full-time employees. Medicare tax deductions also are required for all employees hired after March 31, 1986. Temporary and part-time employees who are not eligible for TRS membership, must pay into 3121 Retirement Plan. (The 3121 Retirement Plan is a retirement plan in place of Social Security. MISD does not contribute to Social Security).

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; TRS approved annuities; the Texas Tomorrow Constitutional Trust Fund; higher education savings plans; and savings deposits and loan payments through Smart Financial Credit Union. Employees also may request payroll deduction for payment of membership dues to professional organizations and day care. Salary deductions are automatically made for unauthorized or unpaid leave.

Overtime compensation

Policy DEA

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. Any employee working overtime with out approval is subject to discipline.

Overtime is legally defined as all hours worked in excess of 40 hours weekly and is not measured by the day or by the employee's regular work schedule. Employees who must work beyond their normal schedule but less than 40 hours per week will be compensated in straight-time pay or equivalent time off in the same workweek. Employees must work more than 40 total hours in a week to earn overtime compensation. Holidays are not included in the 40 hour workweek for overtime purposes.

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

- Employees can accumulate up to 60 hours of compensatory time. If an employee has a balance of more than 60 hours of overtime, the employee will be required to use compensatory time, or at the District's discretion, will receive overtime pay
- Comp time must be used in the duty year that it is earned
- Use of comp time may be at the employee's request with supervisor approval as workload permits
- An employee will be required to use comp time before using available paid leave (e.g., sick, personal, vacation)
- Weekly time sheets will be maintained on all nonexempt employees for the purpose of wage and salary administration

Travel expense reimbursement

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor and/or principal must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district and the Internal Revenue Service. Employees must submit receipts to be reimbursed for expenses other than mileage.

Health, dental and life insurance

Policy CRD

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

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are regularly scheduled to work at least 10 hours per week

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

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

Supplemental insurance benefits

Policy CRD

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

Cafeteria plan benefits (Section 125)

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

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

Health Insurance Portability and Accountability Act

Also known as HIPAA, the following section describes how medical information about you may be used and disclosed. All employees are required to sign and return the HIPPA Acknowledgement Receipt.

Health Insurance Portability and Accountability Act of 1996

Workers' compensation insurance

Policy CRE

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

All work-related accidents or injuries should be reported immediately to the employee's supervisor who will then notify the Benefits and Leave Specialist in the Finance Department. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code.

Unemployment compensation insurance

Policy CRF

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits under the Texas Unemployment Compensation Act. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the Finance Department.

Teacher retirement

Policy DEG

All personnel employed on a regular basis for at least four and one-half months are members of the Teacher Retirement System of Texas (TRS). Substitutes not receiving TRS service retirement benefits who work at least 90 days a year are also eligible for TRS membership and to purchase a year of creditable service. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify the Human Resources Department as soon as possible. Information on the application procedures for TRS benefits are available in the Human Resources Department. Additional inquiries should be addressed to: Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.state.tx.us).

Other Benefit Programs

Tuition-free Attendance

Children of non-resident District employees may attend District schools tuition-free. Assignment to a campus will be determined by space availability.

In-District Day Care

MISD Day Care is a state licensed day care facility for children of employees. It accepts infants from six weeks up to age five. Additional information is available by contacting the Day Care at ext. 3079.

Employee Children's Shuttle

MISD provides an employee shuttle for the children of staff members who attend campuses other than that of the campus in which the employee works but wishes to have their children brought to their work location. This benefit comes at a cost of \$180 for the school year. Information and the shuttle form is available on the website under District Services, Employee Information Center. Employees must return the form to payroll. See the letter at this site.

Leaves and absences

Policies DEC, DECA and DECB

The district offers employees paid and unpaid leaves of absence in times of personal need. An employee who has available state and/or local leave may not elect to be docked in lieu of using paid leave.

This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who have personal needs that will require long leaves of absence of more than five days should call the Benefits and Leave Specialist for counseling about leave options, continuation of benefits, and communicating with the district.

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

Leave must be used in half or whole day increments. However, if an employee is taking family and medical leave, leave shall be recorded in one-hour increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Local
- State

Medical Certification

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification. Any employee who is absent more than five (5) consecutive days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and, in the case of personal illness, the employee's fitness to return to work.

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

Continuation of Health Insurance

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

Personal leave

State law entitles all employees to five days of paid personal leave per year. Personal leave is earned at a rate of approximately .5 leave days per 18 days worked. A day of earned personal leave is equivalent to an assigned workday. State personal leave accumulates without limit, is transferable to other Texas school districts and generally transfers to education service centers. There are two types of personal leave: nondiscretionary and discretionary.

Nondiscretionary. Leave taken for personal or family illness, family emergency, a death in the family (bereavement leave), or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary leave will be granted to employees in the same manner as sick leave.

Discretionary. Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit to his or her principal or supervisor a request 3 days in advance of the anticipated absence. The effect of the employee's absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

Discretionary leave may not be taken on the following key days:

- The day before or the day after a school holiday
- Days scheduled for end-of-semester or end-of-year exams
- Days scheduled for mandated exams
- Professional staff development days
- Times determined by the principal or supervisor

State Sick leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in half or whole day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

If an employee uses more sick leave than he or she has earned, the cost of unearned sick leave will be deducted from the employee's next paycheck.

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

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

Local Sick

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

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

Paraprofessionals shall earn five days of local leave per school year at the same rate as state personal leave. Local leave days may be accumulated without monetary value.

Professional employees shall earn five days of local leave per school year at the same rate as state personal leave. Local leave days may be accumulated without monetary value.

All part-time employees, whether contract or non-contract, shall earn 2.5 days of local leave per school year, at the same rate as state personal leave. Local leave days may be accumulated without monetary value.

Family and Medical Leave (FML) – General Provisions

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

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements. Eligible employees with a spouse, son, daughter, or parent on active military duty and deployed to a foreign country may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, military caregiver leave to family of veterans, family members of servicemembers called to active duty, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling

sessions, and attending post-deployment reintegration briefings.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

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

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

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

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

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

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

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

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

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

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

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

Unlawful Acts by Employers. The FMLA makes it unlawful for any employer to:

Interfere with, restrain, or deny the exercise of any right protected under the FMLA;

Discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Enforcement. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Local Family and Medical Leave provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period from July 1 through June 30.

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

Combined leave for spouses. A husband and wife who are both employed by the district are limited to a combined total of 12 weeks of FML to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

Intermittent leave. When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

District contact. Employees that require FML or have questions should contact Teresa Tipton or Human Resources for details on eligibility, requirements, and limitations.

Temporary disability

Certified employees. Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days.

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

When an employee is ready to return to work, the Leave and Benefit Specialist should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to do the job.

Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

Workers' compensation benefits

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

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

Assault leave

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

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

Jury duty

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service dates attended for jury duty.

Other court appearances

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use paid leave. Employees may be required to submit documentation of their need for leave for court appearances.

Military leave

Paid leave for military service. Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave for authorized training or duty orders. Paid military leave is limited to 15 days each federal fiscal year (October 1 – September 30). In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

Re-employment after military leave. Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they are still qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment within the period of time specified by law to the Human Resources Department.

In most cases, the length of federal military service cannot exceed five years.

Continuation of Health Insurance. Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the Human Resources Department for details on eligibility, requirements, and limitations.

Employee relations and communications

Employee recognition and appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, on the district website, and through special events and activities. Individual recognition forms (the blue cards) for submission directly to the Superintendent are available in the campus office.

District communications

Throughout the school year, the Human Resources Department publishes Board Briefs after regular board meetings, postings to the district website, brochures, fliers, calendars, news releases and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

Complaints and grievances

Policy DGBA

In an effort to hear and resolve employee complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly process that all employees must follow when bringing formal complaints and grievances. Employees are encouraged to discuss problems or complaints with their supervisors or an appropriate administrator at any time.

The formal grievance process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative grievance procedures are exhausted, employees can bring grievances to the board of Trustees. For ease of reference, the district's policy concerning the process of bringing complaints and grievances may be accessed on the district website at www.misd.org.

Employee conduct and welfare

Standards of conduct

Policy DH

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

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

All district employees should perform their duties in accordance with state and federal law, district policy, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent first learns of the incident. See Reports to the State Board for Educator Certification, page 32 for additional information.

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

Texas Educators' Code of Ethics

Purpose and Scope

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. (19 TAC 247.1(b))

Enforceable Standards

1. Professional Ethical Conduct, Practices, and Performance

- Standard 1.1** The educator shall not intentionally, knowingly or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.
- Standard 1.2** The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.
- Standard 1.3** The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
- Standard 1.4** The educator shall not use institutional or professional privileges for personal or partisan advantage.
- Standard 1.5** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
- Standard 1.6** The educator shall not falsify records, or direct or coerce others to do so.
- Standard 1.7** The educator shall comply with state regulations, written local school board policies, and other state and federal laws.
- Standard 1.8** The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
- Standard 1.9** The educator shall not make threats of violence against school district employees, school board members, students, or parents of student.
- Standard 1.10** The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
- Standard 1.11** The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
- Standard 1.12** The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse or prescription drugs and toxic inhalants.
- Standard 1.13** The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

2. Ethical Conduct toward Professional Colleagues

- Standard 2.1** The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- Standard 2.2** The educator shall not harm others by knowingly making false statements about a colleague or the school system.
- Standard 2.3** The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
- Standard 2.4** The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
- Standard 2.5** The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
- Standard 2.6** The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7** The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.

3. Ethical Conduct toward Students

- Standard 3.1** The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
- Standard 3.2** The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.
- Standard 3.3** The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.
- Standard 3.4** The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status or sexual orientation..
- Standard 3.5** The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.
- Standard 3.6** The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student.
- Standard 3.7** The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.
- Standard 3.8** The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.
- Standard 3.9** The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
- (i) The nature, purpose timing, and amount of the communication;
 - (ii) The subject matter of the communication
 - (iii) Whether the communication was made openly or the educator attempted to conceal the communication;
 - (iv) Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
 - (v) Whether the communication was sexually explicit; and
 - (vi) Whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

Discrimination, harassment, and retaliation

Policies DH, DIA for Employees and FFH for Students

Harassment of a coworker or student motivated by race, color, religion, gender, national origin, age, disability, military status, genetic information or on any other basis prohibited by law is a form of discrimination and is prohibited by law. Employees shall not engage in prohibited harassment, including sexual harassment, of other employees or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons, including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment shall result in disciplinary action. The term harassment includes repeated unwelcome and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual's race, color, religion, national origin, disability, or age that creates an intimidating, hostile, or offensive educational or work environment.

Employees who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal or supervisor. If the campus principal, supervisor, or appropriate district official is the subject of a complaint, the employee shall report the complaint directly to the superintendent. An employee who suspects or knows that a student is being harassed by a school employee or by another student shall inform his or her principal or immediate supervisor. A complaint against the superintendent may be made directly to the board.

Any allegation of harassment of students or employees shall be investigated and addressed. An employee may appeal the decision of the principal or supervisor regarding the investigation into the allegations in accordance with the employee complaint and grievance policy and procedures (See *Complaints and grievances*). To the greatest extent possible, complaints shall be treated as confidential. Limited disclosure may be necessary to complete a thorough investigation. The district will not retaliate against an employee who in good faith reports perceived harassment.

Employees who believe that they have been sexually harassed by another employee are encouraged to come forward with complaints. The district will promptly investigate all allegations of sexual harassment and harassment and will take prompt appropriate disciplinary action against employees found to have engaged in conduct constituting any form of harassment of other employees.

Harassment of Students

Policies DH, FFG, and FFH

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment or abuse of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities as required by law. See *Reporting Suspected Child Abuse* and *Bullying in this Handbook* for additional information.

Alcohol and drug-abuse prevention

Policies DH, DI

Montgomery ISD is committed to maintaining an alcohol and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned events on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed.

Drug-free Schools Requirements

The District prohibits the unlawful distribution, possession, or use of illegal drugs, inhalants, and alcohol on school premises or as part of any of the District's activities.

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution.

Compliance with these requirements and prohibitions is mandatory and is a condition of employment.

Reporting suspected child abuse

Policies DF, DG, DH, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g.: state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. "Abuse is defined by SBEC and includes the following acts or omissions:

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

Reports to Child Protective Services can be made to a local office or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency. In addition, employees must cooperate with child abuse and neglect investigators. Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

Sexual Abuse and Maltreatment of Children

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

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

Fraud and financial impropriety

Policy CAA

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below: Fraud and financial impropriety includes, but is not limited to, the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets, including district time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district
- Destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the district

Conflict of interest

Policy DBD

Employees are required to disclose to their supervisor any situation that creates a potential conflict of interest with proper discharge of assigned duties and responsibilities or creates a potential conflict of interest with the best interests of the district. This includes the following:

- A personal financial interest
- A business interest
- Any other obligation or relationship
- Nonschool employment

An employee with a substantial interest in a business entity or interest in real property must disclose the interest to the district prior to the award of a contract or authorization payment. This is done by filing an affidavit with the Superintendent or designee. An employee is also considered to have substantial interest if a close family member (e.g., spouse, parent, child, or spouse's parent or child) has a substantial interest.

Associations and political activities

Policy DGA

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Charitable Contributions

Policy DG

The Board or any employee may not directly or indirectly require or coerce an employee to make a contribution to a charitable organization or in response to a fundraiser. Employees cannot be required to attend a meeting called for the purpose of soliciting charitable contributions. In addition, the Board or any employee may not directly or indirectly require or coerce an employee to refrain from making a contribution to a charitable organization or in response to a fund raiser or attending a meeting called for the purpose of soliciting charitable contributions.

Safety

Policy CK Series

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

- Observe all safety rules.
- Keep work areas clean and orderly at all times.
- Immediately report all accidents to their supervisor.
- Operate only equipment or machines for which they have training and authorization.

Employees with questions or concerns relating to safety programs and issues can contact the Bobby Morris, Assistant Superintendent of Administrative Services.

Tobacco use

Policies DH, GKA, FNCD

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

Criminal history background checks

Policy DBAA

Employees will be subject to a review of their criminal history record information at any time during employment. National criminal history checks based on an individual's fingerprints, photo, and other identification will be conducted on certain employees and entered into the Texas Department of Public Safety (DPS) Clearinghouse. This database provides the district and SBEC with access to an employee's current national criminal history and updates to the employee's subsequent criminal history.

Employee arrests and convictions

Policy DH

An employee must notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, and any of the other offenses listed below:

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

Moral turpitude includes, but is not limited to, the following:

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

Possession of firearms and weapons

Policies FNCG, GKA

Employees, visitors, and students are prohibited from bringing firearms, illegal knives, or other weapons onto school premises or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisors or call the campus principal immediately.

Visitors in the workplace

Policy GKC

All visitors are expected to enter any district facility through the main entrance and sign in or report to the building's main office for identification and determination of purpose. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on the district premises should immediately direct him or her to the building office or contact the administrator in charge.

The district shall obtain criminal history records of prospective school volunteers. The district shall inform volunteers when their services are to begin. [See GKG (LOCAL)]

Copyrighted materials

Policy CY

Employees are expected to comply with the provisions of copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works are to be used in the classroom for instructional purposes only. Duplication or backups of computer programs and data must be made within the provisions of the purchase agreement.

Technology Resources

Policy CQ

The district's technology resources (Voice, Data and Video), including its network access to the Internet, are primarily for administrative and instructional purposes.

Voice conversations, electronic mail transmissions, video content and other uses of the electronic communications systems are not confidential and may be monitored at any time to ensure appropriate use. Employees and students should have **NO EXPECTATION OF PRIVACY when using these forms of electronic communications. Employees and students should understand that all of these means of electronic communications are subject to review under the Public Information Act.**

- If you sign up with a service which will send you email notifications and the service is of a personal nature (Shopping club, Travel club, etc.), be sure to use your personal home email address as the "return email" address. Otherwise, the service will send emails to your school account and will not be classified or stopped as "spam" by our filtering system.
- Access to various personal interest type Internet sites is normally blocked during the instructional periods of the day, but opened afterwards.
- Due to its negative impact on the district network, streaming audio and video services are generally blocked. Access to such sites must be requested and approved by the Principal at your school.

RULES FOR APPROPRIATE USE:

- The account is to be used for educational and school district administrative purposes.
- Employees and students are held responsible at all times for the proper use of access to electronic media transmission facilities.
 - Remember that people who receive emails from you from your MISD account may think that your message represents the school district's point of view.

Employees and students who are authorized to use the systems are required to abide by the provisions of the district's communications systems policy and administrative procedures. Failure to do so can result in suspension or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact Steve Bodman, Director of Technology.

EXAMPLES OF INAPPROPRIATE USES (subject to disciplinary action):

- Forwarding or creating emails containing inappropriate content including but not limited to materials that are:
 - Abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation;
 - Jokes, images, files, or links which meet the above description

Note: If you receive such files you are to immediately delete them and inform the sender of the district policy of acceptable use and that you are subject to disciplinary action if you continue to receive such types of emails.

Notify Information Technology through the Help Desk that you have received and deleted such an email and provide the sender information to Information Technology.

If you receive another objectionable email from the same source, notify Information Technology through the Help Desk and Information Technology will block that specific sender from the district network.

- Using the system for any illegal purpose
- Disabling or attempting to disable any Internet filtering device
- Encrypting communications to avoid security review
- Borrowing someone's account without permission
- Downloading or using copyrighted information without permission from the copyright holder.
- Intentionally introducing a virus, worm, adware or spyware or other types of damaging software to the computer system
- Wasting district resources through improper use of the computer system
- Gaining unauthorized access to restricted information or resources
- Loading or installing software on a computer without prior proper authorization of the Principal and Information Technology Department
- Personal use of electronic media (including email) during instructional time periods.

CONSEQUENCES FOR INAPPROPRIATE USE:

- Suspension of access to the system for a defined period; and/or
- Other disciplinary or legal action in accordance with district policies and applicable laws up to and including termination.

Gifts and favors

Policy DBD

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbook, electronic textbooks, instructional materials or technological equipment may result in prosecution of a class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials, such as maps or worksheets, that convey information to students or contribute to the learning process.

Asbestos management plan

Policy CKA

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

Pest control treatment

Policies DI, CLB

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located at the front of the entrance. In addition, individual employees may request in writing to be notified of pesticide applications. An employee that requests individualized notice will be notified by telephone, written or electronic means. Pest control information sheets are available from campus principals or facility managers upon request.

General procedures

Bad weather closing

The district may close schools because of bad weather or emergency conditions. When such conditions exist, the superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late or to release students early, the following radio and television stations will be notified by school officials:

KSTAR (103.7 FM)

KTRH (740 AM)

KIKK (96 FM)

KPRC Channel 2 TV (beginning at 6:15 a.m.)

In addition to the above, announcements will be made through *The School Alert System*. To register for this free electronic notification system, go to www.schoolalerts.com. This link can be found on the MISD website under "Quick Links".

Further, the District website, www.misd.org, will also be used to communicate to staff and community any changes in school operation due to the weather.

Emergencies

Policy CKC

All employees should be familiar with the evacuation diagrams posted in their work areas. Fire, tornado, and other emergency drills will be conducted to familiarize employees and students with evacuation procedures. Fire extinguishers are located throughout all district buildings. Employees should know the location of the extinguishers nearest their place of work and how to use them.

Purchasing procedures

Policies CH, CKD

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

Name and address changes

It is important that employment records be kept up to date. Employees must notify the Human Resources office if there are any changes or corrections to their name, home address, home telephone number, marital status, emergency contact, or beneficiary. Forms to process a change in personal information can be obtained from the campus secretary or Human Resources Department. This is an Employee Change Form and will be kept in the main office of each campus.

Personnel records

Policy GBA

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

- Address
- Phone number
- Social Security number
- Emergency Contact Information
- Information that reveals whether they have family members

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

Building use

Policies DGA, GKD

Each building is responsible for scheduling the use of facilities after school hours. Contact the campus principal to request to use school facilities and to obtain information on the fees charged.

Termination of Employment

Resignations

Policy DFE

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

The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in *Reports to the State Board for Educator Certification*.

Noncontract employees. Noncontract employees may resign their positions at any time. A written notice of resignation should be submitted to the supervisor at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

Dismissal or nonrenewal of contract employees

Policies DFAA, DFAB, DFBA, DFBB, DFD, DFF

Employees on probationary, term, and continuing contracts can be dismissed during the school year or nonrenewed at the end of the year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The time lines and procedures to be followed when a suspension, termination, or nonrenewal occurs will

be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or whose certification is revoked for misconduct. Information on the time lines and procedures can be found in the DF policies that are provided to employees or in the policy manuals located in the Human Resources Department.

Dismissal of noncontract employees

Policy DCD

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, religion, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and grievances*.)

Exit interviews and procedures

Policies DC and CY

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

All district keys, books, property, including intellectual property, and equipment must be returned upon separation from employment. The district may withhold the cost of any unreturned items from the final paycheck.

Reports to the State Board for Educator Certification

Policy DF

The dismissal or resignation of a certified employee will be reported to the SBEC if there is reasonable evidence that the employee's conduct involves the following:

- A reported criminal history
- Any form of sexual or physical abuse of a minor or any other illegal conduct with a student or a minor
- Soliciting or engaging in sexual conduct or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position
- Committing a crime on school property or at a school-sponsored event
- Violating assessment instrument security procedures

Reports concerning court-ordered withholding

The district is required to report the termination of employees that are under court order or writ of withholding for child support or spousal maintenance to the court and the individual receiving the support (Texas Family Code §8.210, 158.211). Notice of the following must be sent to the court and support recipient:

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

Student issues

Equal educational opportunities

Policies FB, FFH

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

Questions or concerns about discrimination of students on the basis of race, color, religion, gender, or national origin should be directed to the Assistant Superintendent of Administrative Services. Questions or concerns about discrimination on the basis of a disability should be directed to the Director of Special Education.

Student records

Policy FL

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records.

The following people are the only people who have general access to a student's records:

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student (if 18 or older or emancipated by a court)
- School officials with legitimate educational interests

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal.

Parent and student complaints

Policy FNG

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the board has adopted orderly processes for handling complaints on different issues. Any campus office or the District Office office can provide parents and students with information on filing a complaint.

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

Administering medication to students

Policy FFAC

Only designated employees can administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. A student who must take prescription medication during the school day must bring a written request from his or her parent and the medicine, in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

Psychotropic drugs

Policy FFAC

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

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

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

Dietary supplements

Policies DH, FFAC

District employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her school district duties. In addition, employees may not knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

Student conduct and discipline

Policies in the FN series and FO series

Students are expected to follow the classroom rules, campus rules, and rules listed in the Student Code of Conduct and Student Handbook. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management strategies that have been adopted by the district. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or campus principal. Teachers must file a written report with the principal or another appropriate administrator when they have knowledge that a student has violated the Student Code of Conduct. A copy of this report will be sent by the principal or administrator to the student's parents within 24 hours.

Student attendance

Policy FEB

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

Bullying

Policy FFI

All employees are required to report student complaints of bullying to the campus principal.

Hazing

Policy FNCC

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

