Employee Handbook

Our priority is to **educate**.

Families and teachers **connect**.

We **inspire** learning.

Helping students **succeed**.

A college **dream** realized.
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Dear Ector County ISD Team:

On behalf of the ECISD Board of Trustees and Administration, I would like to personally welcome each of you to the 2016-17 school year. Working together we can make this the very best year in the history of ECISD!

The purpose of this handbook is to provide guidance and information that will help you understand our District's expectations. We want to make certain all employees are well informed and knowledgeable of the opportunities for outstanding performance and conduct. Together, we will demonstrate professional behavior, a cooperative spirit, and help develop a positive working environment for all.

Please review this document carefully. It is every employee's responsibility to be knowledgeable of and abide by Board policies. This handbook provides the professional conditions that need to be present for us to accomplish our very critical work together- the teaching, learning, and safety of our students.

Respectfully,

Tom Crowe
Superintendent
Academic Excellence
College and Career Readiness
Safe and Supportive Learning Environment
Purposeful, Timely Two-Way Communication
Employee Handbook Receipt

Name ______________________________________

Campus/Department __________________________

I hereby acknowledge receipt of a copy of the Ector County ISD Employee Handbook. I agree to read the 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.

**The ECISD Employee Handbook may be viewed at the District’s website,**
http://www.ectorcountyisd.org/Page/930

Please indicate your choice by checking the appropriate box below:

- o I choose to receive the employee handbook in electronic format and accept responsibility for accessing according to the instructions provided.

- o 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 render obsolete the information summarized in this booklet. As the district provides updated policy information, I accept responsibility for reading and abiding by the changes.

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 Technology Services if I have questions or concerns or need further explanation.

___________________________________________  __________________________
Signature     Date

Please sign and date this receipt and forward it to __________________________
EMPLOYEE AGREEMENT FOR ACCEPTABLE USE OF THE ELECTRONIC COMMUNICATIONS SYSTEM

You are being given access to the District’s technology resources. Through this system, you will be able to communicate with other schools, colleges, organizations, and people around the world through the Internet and other technology resources/networks. You will have access to hundreds of databases, libraries, and computer services all over the world.

With this opportunity comes responsibility. It is important that you read the District policy, administrative regulations, and agreement form and ask questions if you need help in understanding them. Inappropriate system use will result in suspension or revocation of the privilege of using this educational and administrative tool.

Please note that the Internet is a network of many types of communication and information networks. It is possible that you may run across some material you might find objectionable. While the District will use filtering technology to restrict access to such material, it is not possible to absolutely prevent such access. It will be your responsibility to follow the rules for appropriate use.

RULES FOR APPROPRIATE USE

* The account is to be used mainly for educational purposes, but limited personal use is permitted.
* You will be held responsible at all times for the proper use of your account, and the District may suspend or revoke your access if you violate the rules.
* Remember that people who receive e-mail from you with a school address might think your message represents the school’s point of view.

INAPPROPRIATE USES

* Using the system for any illegal purpose.
* Disabling, bypassing or attempting to disable any Internet filtering device.
* Encrypting communications to avoid security review.
* Borrowing someone else’s account without permission.
* Pretending to be someone else when transmitting or receiving messages.
* Using inappropriate language such as swear words, vulgarity, ethnic or racial slurs, and any other inflammatory language.
* Downloading or using copyrighted information without permission from the copyright holder.
* Intentionally introducing a virus to the computer system.
* Transmitting or accessing materials that is abusive, obscene, sexually oriented threatening, harassing, damaging to another’s reputation, or illegal.
* Transmitting pictures without obtaining prior permission from all individuals depicted, or from parents or depicted individuals who are under the age of 18.
* Posting messages or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal.
* Wasting school resources through improper use of the computer system, including sending chain letters.
* Gaining unauthorized access to restricted information or resources.
* Using personal internet connections for students or direct instruction.

CONSEQUENCES FOR INAPPROPRIATE USE

* Suspension of access to the system;
* Revocation of the computer system account; or
* Other disciplinary or legal action, in accordance with the District policies and applicable laws.

EMPLOYEE DATA MANAGEMENT AND USER CONFIDENTIALITY AGREEMENT

This section applies for employees who currently use or will use an ECISD online database system. ECISD online database systems include but are not limited to such systems as iTCCS, txGradebook, MUNIS, KRONOS and Eduphoria. The opportunity to use this system will provide effective and efficient data management with the online maintenance and/or read-only access to student, personnel and/or business applications. With this opportunity comes responsibility due to the extremely sensitive/confidential nature of this data.

Access to the ECISD online databases is for professional school use only. You will be held responsible at all times for the proper use of this account, and access may be suspended or revoked if you violate any of the terms of this agreement. Any disclosure by verbal or written means, copying, distribution, or use of the information in the database by an unauthorized person is prohibited. With the exception of documents produced from the system specifically designed for release to individuals or groups in the public, the information is not to be shared with person/s outside of ECISD.

Access to the databases from outside the workplace/ECISD network is a privilege offered to ECISD exempt personnel only. Access to databases by non-exempt personnel from outside the workplace/ECISD network is prohibited in an effort to prevent potential problems stemming from FLSA regulations.

Those exempt personnel who access their login information from outside of the ECISD network assume the responsibility for resolving connectivity problems. It is not within the scope of responsibilities of either the Information Systems Department or the Information Technology Department to resolve connectivity problems or to trouble shoot response time issues or any other issues that are incurred outside of the ECISD network.

A. To this end, this agreement is incorporated as part of the overall ECISD Employee Agreement for Acceptable Use of Electronic Communications and Data Management Systems:

B. The user understands that any user ID and password assigned for access to databases is to be considered private and confidential and that sharing user IDs and/or passwords is prohibited. The user understands that using someone else’s account is prohibited.

C. The user is responsible for any computer transactions performed as a result of access authorized through his user ID and password.

D. The user is responsible for changing his/her password if he/she suspects that it has been compromised.

E. The user will not intentionally or knowingly enter any unauthorized data, or change any data without authorization.
F. The user understands that confidential information includes, but is not limited to, any information that has the potential to identify a student, including aggregates with fewer than five members; social security numbers for students or staff; and e-mail addresses of members of the public.

G. The user agrees that access and viewing of confidential data will be limited to the purpose intended by the application.

H. The user agrees to monitor and protect confidential information.

I. The user understands that any unauthorized disclosure of confidential student information is illegal as provided in the Family Educational Rights and Privacy Act of 1974 (FERPA) and in the implementing of federal regulations found in 34 CFR, Part 99. FERPA is specially incorporated into the Texas Open Records Act as an exception to records that are subject to disclosures to the public (Government Code, Section 552.026). The user understands that release of confidential student information is prohibited by the Texas Government Code, Section 552.352, and that such an offense constitutes a Class A misdemeanor.

J. The user understands that any data sets or output reports that he/she may generate using confidential data shall be protected. The user shall not distribute to any unauthorized person any data sets or reports that contains confidential data.

K. The user certifies that the information contained in this form with which this agreement is declared is, to the best of his/her knowledge, correct and that he has been duly authorized to access this confidential information. User further certifies that any ensuing program and activity will be conducted in accordance with all applicable Federal and State laws and regulations.

The employee agreement shall be renewed each academic year.

I understand that my computer use is not private and that the District may monitor my activity on the computer system at any time.

I have read the District’s Electronic Communications system policy CQ(LOCAL) and CQ (Regulations) and agree to abide by their provisions. I understand that the policy can be located on the ECISD website at:  

http://pol.tasb.org/Home/Index/421

In consideration of the privilege of using the District’s electronic communications system and in consideration for having access to the public networks, I hereby release the District, its operators, and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use of, or inability to use, the system, including, without limitation, the type of damages identified in the District’s policy and administrative regulations including the transfer of files between home and District workstations.

Print Full Name _________________________________________________

Signature ________________________________________________________

Date _____________________________________________________________

Employee ID# __________________________ Campus ______________

2016-17 Employee Handbook
Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all District policies and procedures are included. Those that are have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to Brian J. Moersch, Chief of Staff.

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 and procedures related to employment. These 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.

District policies can be accessed on line at http://pol.tasb.org/Home/Index/421 District regulations can be accessed on line at http://www.ectorcountyisd.org/page/1069

District Information

Description of the District

Ector County Independent School District operates with one central goal - equity and excellence for every child. Our mission statement promises ECISD will develop world ready, life-long learners, who discover their unique gifts, achieve personal success, and fuel their community by building unified, comprehensive community support and participation that fosters a standard of excellence.

To that end, ECISD places a tremendous emphasis on curriculum, instruction, and staff development. Giving our teachers the tools they need to successfully teach our kids is a top priority. The district offers very competitive pay; for a complete list of salaries visit www.ectorcountyisd.org

Founded in 1921 ECISD is now the 43rd largest school district in the State of Texas. It covers 906 square miles, utilizes 45 campuses to educate more than 31,000 students, and employs more than 3,500 people.

The student population breaks down as follows: Hispanic 75%, Anglo 19%, African-American 4%, Asian .89%, American-Indian .3%, Native Hawaiian/Pacific Islander .1% and Two or More .8%.
District Map
The District map can be accessed at the following link.
http://www.ectorcountyisd.org/Page/28631

Mission Statement

Policy AE

The mission of the ECISD Community, a passionate, unified, world class leader in education, is to develop world ready, life-long learners who discover their unique gifts, achieve personal success, and fuel their community by building unified, comprehensive community support and participation that fosters a standard of excellence; serving as advocate and steward for all students; ensuring relevant teaching, engaged learning, and dynamic innovation; and maximizing all available resources.

District Strategies

1. We will ensure learning experiences that are engaging, challenging, and meaningful.
2. We will provide infrastructure to maximize the success of all students.
3. We will identify, engage, and equip our world class team to accomplish our mission.
4. We will establish and sustain an interdependent partnership with parents.
5. We will communicate effectively to serve our mission.
6. We will model and market our new culture throughout our community to ensure support and participation.

4 Non-Negotiables

- Academic Excellence
- College & Career Readiness
- Safe & Supportive Learning Environment
- Purposeful, Timely, Two-Way Communication
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, and facilities. 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. Board members are elected from single-member districts and serve four-year terms. Trustees serve without compensation, must be qualified voters, and must reside in the district.

<table>
<thead>
<tr>
<th>Board of Trustees</th>
<th>District</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carol Gregg</td>
<td>Single Member District #1</td>
<td>May 2019</td>
</tr>
<tr>
<td>Teri Ervin, M.Ed. – President</td>
<td>Single Member District #2</td>
<td>May 2017</td>
</tr>
<tr>
<td>Dr. Donna Smith</td>
<td>Single Member District #3</td>
<td>May 2019</td>
</tr>
<tr>
<td>Doyle Woodall</td>
<td>Single Member District #4</td>
<td>May 2017</td>
</tr>
<tr>
<td>Steve Brown – Vice President</td>
<td>Single Member District #5</td>
<td>May 2017</td>
</tr>
<tr>
<td>Ray Beaty, D.C. – Secretary</td>
<td>Single Member District #6</td>
<td>May 2019</td>
</tr>
<tr>
<td>Nelson Minyard</td>
<td>Single Member District #7</td>
<td>May 2017</td>
</tr>
</tbody>
</table>

Regular meetings of the Board shall normally be held at the school administration building, 8th and North Sam Houston Street, on the third Tuesday of each month at 6:00 p.m. Work/study meetings of the Board shall be held on the Tuesday preceding the third Tuesday of each month at 6:00 p.m. When determined necessary and for the convenience of Trustees, the Board President may change the date, time, or location of a regular meeting or work/study meeting with proper notice. In the event that large attendance is anticipated, the Board may meet as set out in the notice for the meeting. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district Web site and at the Administration Building, 8th and North Sam Houston Street 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 consulting with attorneys regarding pending litigation.

**Board of Trustees’ Core Beliefs and Commitments**

- We believe all students can learn to their fullest potential.

  **COMMITMENT:** We commit to the elimination of gaps among and between individual student groups while developing each student’s fullest potential.

- We believe high expectations and standards coupled with quality curriculum can result in the elimination of the achievement gap.
COMMITMENT: We will support managed instruction including vertical and horizontal alignment and focused professional development.

- We believe outstanding staff, when valued and supported, can deliver quality instruction.

COMMITMENT: While holding staff accountable for quality instruction, we will fully support the staff with focused professional development, take morale assessments, and provide assistance with disciplinary support.

- We believe cooperative partnerships among students, families, community, and educators can ensure student success.

COMMITMENT: We will support District staff and services necessary to confirm and strengthen these partnerships for the highest educational outcome of our students.

- We believe a safe, positive, orderly environment for students and staff can contribute to high academic achievement for all students.

- COMMITMENT: We will provide resources to ensure student and staff quality well-being and quality facilities.

Board Meeting Schedule for 2016-2017

August 16, 2016
September 20, 2016
October 18, 2016
November 15, 2016
December 13, 2016
January 17, 2017
February 21, 2017
March 21, 2017
April 18, 2017
May 16, 2017
June 20, 2017
July 18, 2017
Administration
Tom Crowe        Superintendent
Brian Moersch    Chief of Staff
Carolyn Gonzalez Assistant Superintendent of Curriculum & Instruction
Wendy Hines     Assistant Superintendent of Elementary Education
Roy Garcia       Assistant Superintendent of Secondary Education
David Finley    Chief Operations Officer
David Harwell    Chief Financial Officer
Keith Garinger   Chief Human Resource Officer
Kellie Wilks     Chief Technology Officer
Todd Vesely      Executive Director of Athletics
Mike Adkins      Public Information Officer

School Calendar

The Board of Trustees approved the District’s official calendar in February for the 2016-2017 school year. The calendar is available on the District’s website.

http://www.ectorcountyisd.org/domain/4
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 or department level, the employee is encouraged to contact the appropriate department as listed below.

<table>
<thead>
<tr>
<th>Departments</th>
<th>Address</th>
<th>Phone</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounting</td>
<td>802 N. Sam Houston</td>
<td>456-9699</td>
<td>Supervisor – Albert Anchondo</td>
</tr>
<tr>
<td>Athletics</td>
<td>802 N. Sam Houston</td>
<td>456-9050</td>
<td>Executive Director- Todd Vesely</td>
</tr>
<tr>
<td>Benefits</td>
<td>802 N. Sam Houston</td>
<td>456-9780</td>
<td>Director-Donna Ziriax</td>
</tr>
<tr>
<td>Custodial</td>
<td>2225 W. 8th</td>
<td>456-9609</td>
<td>Director - Gary Weatherford</td>
</tr>
<tr>
<td>ECISD Police</td>
<td>802 N. Sam Houston</td>
<td>456-9999</td>
<td>Chief – Todd Hiner</td>
</tr>
<tr>
<td>Finance</td>
<td>802 N. Sam Houston</td>
<td>456-9709</td>
<td>Director – Albessa Chavez</td>
</tr>
<tr>
<td>Health Services</td>
<td>4803 Plaza Blvd.</td>
<td>456-8869</td>
<td>Director - Laura Mathew</td>
</tr>
<tr>
<td>Human Resources</td>
<td>802 N. Sam Houston</td>
<td>456-9359</td>
<td>Directors – Staci Ashley, Valnitia Hernandez, Robin Fawcett</td>
</tr>
<tr>
<td>Information Systems</td>
<td>802 N. Sam Houston</td>
<td>456-9729</td>
<td>Director – Heather Potts</td>
</tr>
<tr>
<td>Instructional Materials</td>
<td>619 W. 10th</td>
<td>456-8979</td>
<td>Coordinator – Amy Miller</td>
</tr>
<tr>
<td>Mail Room</td>
<td>1621 E. 5th</td>
<td>456-9859</td>
<td>Irma Rodriguez, Jeni Criswell</td>
</tr>
<tr>
<td>Maintenance</td>
<td>2225 W. 8th</td>
<td>456-9559</td>
<td>Director - Gary Weatherford</td>
</tr>
<tr>
<td>Migrant</td>
<td>802 N. Sam Houston</td>
<td>456-0552</td>
<td>Linda Bustillos</td>
</tr>
<tr>
<td>New Directions</td>
<td>1008 Dotsy</td>
<td>580-4016</td>
<td>Contacts: Wade Lackey, Donna Pittman</td>
</tr>
<tr>
<td>Payroll</td>
<td>802 N. Sam Houston</td>
<td>456-9769</td>
<td>Director – Armando Nunez</td>
</tr>
<tr>
<td>Print Shop</td>
<td>1621 E. 5th</td>
<td>456-9759</td>
<td>Supervisor - Jaime Subia</td>
</tr>
<tr>
<td>Purchasing</td>
<td>802 N. Sam Houston</td>
<td>456-9719</td>
<td>Director – Albert Valencia</td>
</tr>
<tr>
<td>School Nutrition</td>
<td>1120 W. 10th</td>
<td>456-9749</td>
<td>Director – Katy Taylor</td>
</tr>
<tr>
<td>Student Assistance</td>
<td>301 E. Clements</td>
<td>456-8569</td>
<td>Supervisor - Scott Randolph</td>
</tr>
<tr>
<td>Tech Help Desk</td>
<td>806 N. Lee</td>
<td>456-8646</td>
<td>Supervisor – Alma Munoz</td>
</tr>
<tr>
<td>Tech Specialists</td>
<td>802 N. Sam Houston</td>
<td>456-8481</td>
<td>Director – Mark Patrick</td>
</tr>
<tr>
<td>Testing</td>
<td>910 N. Lee</td>
<td>456-8529</td>
<td>Coordinator – Michelle Owens</td>
</tr>
<tr>
<td>Transportation</td>
<td>2211 W. 10th</td>
<td>456-9869</td>
<td>Director – Roger Cleere</td>
</tr>
</tbody>
</table>
Employment

Equal Employment Opportunity
Policies DAA, DIA

The Ector County Independent School District does not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the District does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. 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 on any of the basis listed above should contact the Human Resource Department.

Employees with questions or concerns about discrimination based on sex, including sexual harassment should contact the District Title IX Director at 432.456.9349.

Hiring/Supervising Relatives
Policy DBD

District employees with the responsibility for recommending for hire or supervising other District personnel shall not recommend for hire or supervise family members. Nor shall any District employee be responsible for the timekeeping or appraisal of a family member. Family is construed to include: Spouse, son, daughter, brother, sister, mother, father, grandmother, grandfather, grandson, granddaughter, aunt, uncle, niece, nephew, cousin, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, and son-in-law.

Relatives who are employed by the District shall be assigned to different schools/departments. Exceptions can only be approved by the superintendent.

Job Vacancy Announcements
Policy DC

To the extent possible, announcements of job vacancies by position and location are posted on a regular basis. The vacancies may be viewed on the District’s website, ectorcountyisd.org under the “Employment” link.

Employment After Retirement
Policy DEG

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed under certain 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 website (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 State Board for Educator Certification (SBEC) and registered 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 a probationary contract during their first year of employment. 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. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education 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 two or three school years (i.e., two or 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.

Certification and Licenses

Policies DBA, DF

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 renew or 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.
At Will Employment

Policy DCD

The Board delegates to the superintendent authority to employ and dismiss the following categories of employees, who shall serve on an at-will basis: professional employees not addressed at DCB (Local) or DCE (Local); clerical/technical employees; and manual trade employees.

ASSIGNMENT AND EVALUATION: The superintendent or designee has sole authority to notify employees of assignments, compensation rates, and conditions of employment. Evaluation of at-will employees shall be conducted by the principal or supervisor in accordance with administrative procedures.

REASONABLE ASSURANCE OF EMPLOYMENT: District employees in positions normally requiring less than 12 months of service, who are expected to report to work at the beginning of the following school session, shall be provided a letter of reasonable assurance of employment.

DISMISSAL: At-will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the needs of the District.

APPEAL PROCESS: A dismissed employee may request to be heard by the board in accordance with DGBA(LOCAL).

Searches and Alcohol and Drug Testing

Policy DHE

Non-investigatory searches in the workplace, including accessing an employee’s desk, 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 computers, lockers, and private vehicles parked on District premises or work sites used in District business.

Employees Required to have a Commercial Driver’s License. Any employee whose duties require 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 if 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 if an employee, who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs, is allowed to return to duty.

All employees required to have a CDL, or who are otherwise 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 Director of Transportation Services.

Health Safety Training  
*Policies DBA, DMA*

Certain employees who are involved in physical activities for students must maintain and submit to the District proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of the automated external defibrillator (AED), concussion and extracurricular 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 their campus principal or department director by the beginning of the school year.

Reassignments and Transfers  
*Policy DK*

All personnel are subject to assignment and reassignment by the superintendent or designee when the superintendent or designee determines that the assignment or reassignment is in the best interest of the District. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Campus reassignments must be approved by the principal at the receiving campus except when reassignments are due to enrollment shifts or program changes. 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).

An employee with the required qualifications for a position may request a transfer to another campus or department. Teachers seeking a transfer shall obtain a Transfer Request Form online at Human Resource Operations. The request will be submitted to his/her current supervisor, *dates to be determined*. Requests for transfers 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 Resource office and must be approved by the receiving supervisor. For more information go to www.ectorcountyisd.org to Department to Human Resources.

Workload and Work Schedules  
*Policies DEA, DL, DEAB*

**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 can be viewed online at www.ectorcountyisd.org under ‘Calendars.’
Classroom teachers will have planning periods for instructional preparation including 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 within the instructional day. Teachers and librarians are entitled to a duty-free lunch period of at least 30 minutes. The District may require teachers to supervise students during lunch one day a week when no other personnel are available.

Policy DK

Daily time schedules for all employees shall be determined by the superintendent or designee and principals. The length of the workday is directly related to the job to which assigned.

Paraprofessional, and Auxiliary employees. Most support employees are employed at-will and receive notification of the required duty days, holidays, and hours of work for their position annually. These employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See Overtime Compensation on page 24 for additional information.

Notification to Parents Regarding Qualifications

Policies DK, DBA

In schools receiving Title I funds, the District is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child’s teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements.

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification examination) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request.

Employees who have questions about their certification status can call the Human Resource Department.

Outside Employment and Tutoring

Policy DBD

Employees are required to disclose in writing to their immediate supervisor any outside employment that may create a potential conflict of interest with their assigned duties and responsibilities or the best interest of the District. Supervisors will consider outside employment on a case-by-case basis and determine whether it should be prohibited because of a conflict of interest. Employees are required to also disclose in writing to their immediate supervisor any private tutoring of District students for pay.
Performance Evaluation

Policies DN, DNA, DNB

Evaluation of an employee’s job performance is a continuous 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 get the opportunity to respond to the evaluation.

Teachers are evaluated through the Texas Teacher Evaluation and Support System (T-TESS). If a teacher disagrees with the observation summary or the summative annual report, the teacher may request a second appraisal by obtaining an official request form from the Human Resources Department and complying with the following process.

For Request of Second Observation Summary:

1. If the teacher is not in agreement with the Observation Summary from the appraiser and wishes to request a second appraisal, the teacher submits the completed Teacher Request for Second Appraisal form to the Human Resources Department within 10 instructional days of receiving the Observation Summary.

2. Within 15 instructional days from the date the HR Department receives the teacher’s request, the Human Resources Department assigns the second appraiser from the approved T-TESS list of appraisers. The second appraiser conducts the 45 minute classroom observation.
   - The second appraiser may contact the teacher to obtain pertinent classroom and student information.
   - The second appraiser notifies the teacher of the one-week window in which the observation is to be conducted. Note: this observation is not scheduled by day or time.

3. After completing the observation, the second appraiser scores the Domains that are observable in the 45 minute classroom observation and averages the scores from the second appraisal and the first appraisal, resulting in the teacher’s written Observation Summary.

4. Within 10 instructional days following the observation (15 instructional days if extenuating circumstances are determined by the Human Resources representative), the second appraiser holds a post conference with the teacher, reviews the written Observation Summary, and each sign the document.

5. The second appraiser provides a copy of the Observation Summary to the teacher, the teacher’s appraiser, and to the Human Resources Department for scanning into the teacher’s records.

For Request of Second Summative Annual Report:

1. Within 15 instructional days from the date the Human Resources Department
receives the teacher’s request, the second appraiser is assigned, scores the teacher in all Domains (1-VIII), and holds a summative conference with the teacher to review the Summative Annual Report.

− To evaluate Domains I-IV, the second appraiser may conduct observations or walk-throughs as necessary and/or rely upon previous observations and/or walk-throughs.

− To evaluate Domains V-VIII, the second appraiser relies upon the Teacher Self-Report and cumulative data from the first appraisal, other observations, walk-throughs, and any other relevant documents (e.g. parent communications, professional improvement plan(s), performance memo(s), etc.)

− The second appraiser averages the scores from the second Summative Annual Report and the first Summative Annual Report, resulting in the teacher’s final written Summative Annual Report.

**Employee Involvement**

*Policies BQA, BQB*

At both the campus and District levels, Ector County ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the District. 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 appropriate Executive Director.

**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 non-instructional 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.
Breaks for Expression of Breast Milk
Policy DG

The District supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided.

A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with their supervisor to discuss their needs and arrange break times.

Lunch Breaks

Paraprofessional and Auxiliary Employees: Regular employees who work eight (8) hours per day may receive a minimum of thirty (30) minutes per day for lunch. This lunch period will be duty free and without pay. Occasionally, special circumstances may require some employees to work during their lunch period. The administrator in charge of the school or department may schedule employees to work during their lunch break on occasion if necessary. If an employee is scheduled to work during his/her lunch break, the time will be counted as hours worked during the scheduled work day.

Work Breaks

Paraprofessionals and Auxiliary Employees: All auxiliary personnel may be allowed to take a paid work break if their regular duty schedule calls for four (4) hours or more of continuous work. Work breaks may be provided by the administrator in charge unless there is an extraordinary situation that makes this impractical. Breaks are subject to certain restrictions:

1. No break should be taken until at least one (1) hour after starting time.
2. Break periods will be limited to a maximum of 15 minutes.
3. Work breaks may not be combined to allow for a longer break period.
4. Employees may not take a break at the end of a scheduled workday in order to leave early.
5. No additional pay will be given to employees who do not take a work break.
6. Break time cannot be accumulated.
7. Work breaks may not be used to extend a lunch break.
Compensation and benefits

Salaries, Wages, and Stipends

*Policy DEA, DEAA, DEAB*

Employees are paid in accordance with administrative guidelines and an established pay structure. The District’s pay plans are reviewed by the administration each year and adjusted as needed. 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 an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. *(See Overtime Compensation, page 24)*

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 extra-duty pay schedule.

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. Employees that separate after the last day of their duty schedule will continue to receive paychecks through the end of the pay frequency schedule.

All teachers, administrative/professional, clerical/paraprofessional and information technology employees are paid monthly according to the pay frequency schedule below. The District unilaterally annualizes compensation for employees in these job families.

- 10 – 11 1/2 months paid August through July
- 12 months paid July through June

The Salary Schedules may be viewed on the District’s website, [www.ectorcountyisd.org](http://www.ectorcountyisd.org) under “Employment.” Due dates and pay dates may vary depending on holidays.

**2016-2017 PAY DATES**

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<th>Date (Year)</th>
<th>Payroll 7</th>
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<td>Monthly</td>
<td>April 13 &amp; 28, 2017</td>
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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 or bimonthly payments, beginning with the first pay period of the school year. Employees that separate after the last day of instruction will continue to receive paychecks through the end of the pay.

Electronic Payroll Deposit  
Policy DK  
The District requires employees to utilize automatic payroll deposit. Employees paychecks are electronically deposited into an account at designated District approved Federal Reserve Institutions. Failure to provide or maintain a bank account for direct deposit of pay may be cause for disciplinary action. Employees with banking issues may contact the Payroll Office for assistance. For technical assistance, contact the Technology Department Help Desk at 456-8649. Pay date schedules are available at http://www.ectorcountyisd.org/Page/22122  
Employees will receive bank deposits according to the District’s pay schedule. Administrative, professional, clerical, paraprofessional, labor and trades employees will be paid once per month. Food service and transportation employees will be paid either monthly or semi-monthly. All employees who work less than twelve months will have their annual salary prorated over a twelve-month calendar period to provide year-round income. All professional and salaried employees are paid monthly. Hourly employees are paid twice per month.

An employee’s earning statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. Earning statement, payroll statement and other information are available through the Employee Self Service and may be viewed at:
- www.ectorcountyisd.org  
- For Staff  
- Employee Self Service

Payroll Deductions  
Policy CFEA  
The District is required to make the following automatic payroll deductions:
- Teacher Retirement System of Texas (TRS) required for all full-time employees  
- Federal income tax  
- Medicare tax (applicable only to employees hired after March 31, 1986)  
- Court-ordered withholding  
- Garnishments  
- Social Security contributions for temporary and part-time employees not eligible for TRS

Other payroll deductions employees may elect include deductions for the employee’s share of premiums for health, dental, life, and vision insurance; higher education savings plans and loan payments. Employees may also request payroll deduction for payment of membership
dues to professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

**Overtime Compensation**  
*Policy DEAB*

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.

Overtime is legally defined as all hours worked (physically present at work) in excess of 40 hours in a workweek and is not measured by the day or by the employee’s regular work schedule. Nonexempt employees that are on a salary basis are paid for a 40 hour workweek and do not earn additional pay unless they work more than 40 hours. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Monday and ends at 12:00 a.m. Sunday.

**Compensatory Time:** Nonexempt employees may be compensated for overtime at time-and-a-half rate with compensatory time off (comp time) or direct pay. The following applies to all nonexempt employees:

- Employees are allowed to accumulate comp time with supervisor’s approval.
- A maximum of 24 hours in comp time may be rolled over from one fiscal year to the next.
- When transferring to a different campus or department within the District, an employee must be paid or use any comp time balance prior to the transfer.
- Use of comp time may be at the employee’s request with supervisor approval as workload permits, or at the supervisor’s direction.
- An employee may be required to use comp time before using any other available paid leave (e.g., sick, personal, vacation).
- Weekly time records 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 the program manager for the funds 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 in compliance with the Internal Revenue Service. Employees must submit receipts to be reimbursed for expenses other than mileage. Employes must provide a map illustrating point to point calculation using www.mapquest.com.

Lodging and meals will be reimbursed for actual expenses paid up to the following limits. The itemized hotel bill obtained at checkout is required for reimbursement of hotel costs. Hotel costs will be reimbursed up to the federal per diem rate for specific destinations listed at www.gsa.gov or $85 per night for non-listed locations. Exceptions may be made for state and regional conferences, academies, and major seminars where the host hotel rate exceeds the
allowable rate. A conference brochure (with stated host hotel rates) should be attached to the Travel Settlement Form when requesting a reimbursement exceeding the allowable rate. Travel funded by grants is strictly limited without exception for conference hotel rates.

All employees shall receive the meal per diem based on state guidelines established by the Texas comptroller’s office.

**Health, Dental, and Life Insurance**

*Policy CRD*

Group health insurance coverage is available to individual employees who are on regularly assigned jobs. The District’s contribution to employee insurance premiums is determined annually by the Board of Trustees. Detailed descriptions of insurance coverage, prices, and eligibility requirements are provided to all employees in a separate booklet entitled Health Care Benefit Program.

The health insurance plan year is from January through December. New employees must complete enrollment forms within the first 31 days of employment. Current employees can make changes in their insurance coverage during open enrollment. Employees should contact the Benefits Office for more information.

**Supplemental Insurance Benefits**

*Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs (i.e., dental, supplemental life, disability, catastrophic illness and disability) for themselves and dependents in their families. Premiums for these programs can be paid by payroll deduction.

Detailed descriptions of plan options, benefits, prices, eligibility requirements, network providers, prescriptions drug services, and other information are available from the following website:

- www.ectorcountyisd.org (under Departments to Benefits and Risk Management at Medical Benefits)

Without exception, all employees are allowed to participate in the District’s qualified investment program. Employees may enter into salary reduction agreements for qualified investment products as approved by the Internal Revenue Service, such as 403(b)(7), Roth 403(b) and 457 plans. For more information

- www.ectorcountyisd.org (under Departments to Benefits and Risk Management at Optional Benefits)

The District is committed to protecting the privacy and security of all private health information created or received in relation to employees and their families under the District’s group health plan. A notice of privacy practices is available on the District’s website or from the Benefits Office.

**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., disability, 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 contact the District’s third party administrator to accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis during open enrollment.

Flexible Spending Accounts

Employees may be eligible to participate in flexible spending accounts, including medical reimbursement and dependent care reimbursement accounts. These accounts enable eligible employees to save tax dollars on eligible medical expenses and/or dependent care. The amount selected by the employee is deducted from the employee’s paycheck before taxes are deducted. Under IRS regulations this election is locked in for the plan year and cannot be changed during that time. A third-party administrator manages the accounts for reimbursement to the employee.

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.

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 injury. The District has workers’ compensation coverage through a self-funded workers’ compensation plan, effective 9/01/1988.

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 immediate supervisor. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See Workers’ Compensation Benefits, page 35 for information on use of paid leave for such absences.

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. 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 Risk Management Office at 462-456-9782 or Texas Workforce Solutions at 1-800-939-6631.

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 eligible to purchase a
year of creditable service in TRS. 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 planning to retire under TRS should notify TRS and Human Resource Department as soon as possible. Information on the application procedures for TRS benefits is available from Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 1 800-223-8778 or 512-542-6400. TRS information is also available on the Web (www.trs.texas.gov)

**Vacations**  
*Policy DED*

Only permanent, full-time, 12-month positions will be eligible for vacation leave. The use of any employee leave requires the advance approval of the immediate supervisor and administrator and is dependent upon the ability of each department to maintain delivery of services.

Eligible employees will annually earn a maximum of ten vacation days at one day per month. Employees who earned more than ten days per year before May 16, 1995, will earn one-tenth of their vacation rate per month up to their maximum per year. New District employees may not use vacation days until they have worked six months. Employees promoted or assigned to a 12-month position will be eligible for proration of the maximum ten-day vacation leave. If employees are promoted/assigned in the first half of a calendar month (by the fifteenth of each month), they will be eligible for a day for that month. Terminating employees who work through the fifteenth of the month will also be eligible for a vacation day for that month.

Employees may carry unused earned vacation leave from August to September with a maximum of 15 days. Unused vacation leave will be paid after the end of employment with the District.

**Other Benefit Programs**

Employee Discount Program – ECISD offers an Employee Discount Program based on agreements with local vendors. The discounts are listed on the District’s website at www.ectorcountyisd.org For Staff/SharePoint Sites. Employees may browse the list and check back from time to time for the latest discounts available. In most cases, employees simply show their employee ID badge at the business to receive the discount. Local businesses may join the discount program at any time during the year by sending a description of the offer and a digital advertisement to: Michael.adkins@ectorcountyisd.org derrick.conway@ectorcountyisd.org.
Leaves and Absences........................................

Policy DEC

The District offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who are absent or expect to be absent for an extended period of more than five days must call the Benefits Department at 432-456-9789 for information about applicable leave benefits, continuation of insurance, and requirements for communicating with the District.

Excessive absences is a reason for nonrenewal or termination of a contract or termination of an at-will employee. *Excessive* means absences that are not in compliance with policies and procedures for taking available local, state, or federal leave.

**Use of Leave.** Leave is available for the employee’s use at the rate of one day per month for the number of months of duty on an annual basis according to his/her contract or condition of employment. However, state personal and local sick leave is earned annually based on continuous employment. Leave may be used as it accrues on a monthly basis. However, an advance may be allowed for the current year’s leave. 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, local leave and paid vacation days shall be used in the following order:

1. State sick leave accumulated before the 1995-96 school year
2. State personal leave
3. Local sick leave
4. Vacation days

Employees must follow District and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification.

**Leave Proration.** If an employee separates from employment with the District before his/her last day of the year, or begins employment after the first duty day, state personal leave and local leave shall be prorated based on the actual time employed.

When an employee separates from employment before the last duty day of the school year, the employee’s final paycheck will be reduced by (1) the amount of state personal leave the employee used beyond his/her pro rata entitlement for the school year; and (2) the amount of local leave the employee used but had not earned as of the date of separation. If an employee uses more local leave than he/she earned and remains employed with the District through his/her last duty day, the District shall deduct the cost of the excess leave days from the employee’s pay.

**Medical Certification.** Any employee who is absent more than five consecutive workdays because of personal illness or illness in the immediate family shall submit 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 covered employers 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 a 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.

An employee is no longer eligible for insurance through the District after six months of unpaid leave other than Family and Medical Leave. If an employee’s unpaid leave extends for more than six months, the District will provide the employee with notice of COBRA rights. COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985) is a continuation of plan coverage when coverage would otherwise end because of a life event known as a qualifying event. Qualified COBRA beneficiaries who elect continuation coverage must pay the entire cost of the coverage. For details regarding qualifying events or costs, employees should contact the Benefits Office at 432-456-9789.

**State Personal Leave**

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. Personal leave is prorated for those hired after the school year has begun. A day of personal leave is equivalent to the number of hours per day in an employee’s usual assignment, whether full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. State personal leave may be used for two general purposes: nondiscretionary and discretionary. State personal leave is used only in ½ day increments for exempt employees, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers’ compensation benefits.

Employees shall be allowed to use state personal days for personal business reasons. Due to the requirement to successfully administer certain state mandated tests, attend required training, and successfully manage the classrooms, personnel are discouraged from taking personal business leave on (a) state-mandated test days, (b) District-approved staff development days, (c) during the first or last five (5) school days of the semester or (d) the school day preceding or following a District, state, or national holiday, except for the illness of an employee. Pre-notification of taking leave for personal business reasons
must be given to and approved by the supervisor/principal.

**Nondiscretionary.** Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary leave may be used in the same manner as state 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 a request to his or her principal or supervisor 48 hours in advance of the anticipated absence in accordance with administrative regulations. 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.

In deciding whether to approve or deny state personal leave, the supervisor or designee shall not seek or consider the reasons for which the employee requests to use leave. The supervisor or designee shall, however, consider the effect of the employee’s absence on the educational program or District operations, as well as the applicable administrative regulations, and the availability of substitutes.

**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 whole or ½ 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

For the purposes of state personal, state sick and local sick leave, the term “immediate family” shall include:

1. Spouse
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis.
3. Parent, stepparent, parent-in-law, or other individual who stands in loco parentis to the employee.
5. Grandparent and grandchild.
6. A person residing in the employee’s household at the time of illness or death.

State personal leave accumulates without limit and may be transferred, as with state
sick leave, from district to district.

**Local Sick Leave**

All employees eligible for TRS membership shall earn five workdays of local sick leave per school year advanced at the beginning of the year.

Local leave may be used for personal illness, illness or death in the family, and adoption of infants.

Full time employees earn five equivalent workdays of local sick leave per school year at a rate of ½ workday for each 18 work days of employment, up to the five days annually. Local sick leave is available for use at the beginning of the employment year, does not transfer to another district, and is 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 employee’s immediate family
- First year care following birth or adoption of a child
- Active military service

Local sick leave is used only in ½ day increments for exempt employees, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers’ compensation benefits.

An employee shall not earn any local leave when he or she is in unpaid status. An employee using full or proportionate paid leave shall be considered to be in paid status. Paid leave may not be approved for more leave days than have been accumulated in prior years plus leave that is currently available. Any unapproved absence(s) beyond accumulated and available paid leave shall result in deductions from the employee’s pay.

**Absent from Duty**

**Paraprofessional and auxiliary employees:** Employees are required to call the school/department and their supervisor to report an absence. Employees are required to call at least thirty (30) minutes prior to the report time. Transportation and Child Nutrition Services require at least one hour notice. Employees will be expected to abide by ECISD policy DEC.

**Excessive Absenteeism**

**Paraprofessional and auxiliary employees:** Any absence beyond applicable accumulated leave will be considered excessive. Employees must exhaust all applicable vacation, sick leave and discretionary leave before requests for unpaid absences will be considered.

**Paraprofessional and auxiliary employees:** Any three (3) occurrences of tardiness within a thirty (30) day period will be considered to be excessive.

**Family and Medical Leave (FMLA) – General Provisions**

The following text is from the federal notice, *Employee Rights and Responsibilities Under the Family and Medical Leave Act*. Specific information that the District has adopted to implement the FMLA follows this general notice.
Basic Leave Entitlement. FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

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

Military Family Leave Entitlements: An eligible employee whose spouse, son, daughter or parent is on covered active duty or called to covered active duty status may use his or her 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition”.

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

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

Eligibility Requirements. Employees are eligible if they have worked for a covered employer for at least 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 requirements may be met by a period of incapacity of more than three 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 District’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.

If at the expiration of FMLA leave the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums that were paid by the District during the leave.

**Employer Responsibilities.** Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are eligible, the notice must specify any additional information required as well as the employee’s 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.** FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right protected under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

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

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.

*FMLA section 109(29 U.S.C. §2619) required FMLA covered employers to post the text of this notice.*
Local Family and Medical Leave Provisions

Eligibility. Eligible employees can take up to 12 weeks of unpaid leave in a 12 month period. For purpose of an employee’s entitlement to FMLA, the 12 month period shall be a rolling 12 month period measured backward from the date an employee uses FMLA leave.

Concurrent use of leave. The District shall require employees to use family and medical leave concurrently with paid leave and with temporary disability leave, if applicable.

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 FML, if applicable, and notify the employee that accumulated leave will run concurrently.

Combined leave for spouses. Spouses who are both employed by the District are limited to a combined total of 12 weeks of FML leave 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. Intermittent leave may be taken under the following circumstances:

• An employee is needed to care for a seriously ill spouse, child, or parent.
• An employee requires medical treatment for a serious illness.
• An employee is seriously ill and unable to work.
• An employee becomes a parent or has a foster child placed in his or her home.

District contact. Employees that require FML or have questions should contact the Benefits Office at 432-456-9789 for details on eligibility, requirements, and limitations.

Temporary Disability Leave

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 disability leave is not approved, the employee must return...
to work or be subject to termination procedures.

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 Human Resource Department 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 resume regular duties. 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 non-responsible for purposes of criminal liability.

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the request of an employee, 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.

**Bereavement Leave**

Approved leave for death in the immediate family shall be for not more than five workdays for each occurrence, subject to the approval of the District.

An employee may use three days of local leave in case of death of a relative of second degree.
A relative of second degree is defined as uncle, aunt, nephew, or first cousin. Any of the above relationships, where applicable, may be either through consanguinity or affinity.

**Jury Duty and 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. Absences for court appearances related to an employee’s personal business shall be deducted from the employee’s available leave balance, or shall be taken as leave without pay if no applicable leave is available, except by order of a subpoena.

**Military Leave**

**Paid leave for military service.** Any employee who is a member of the Texas National Guard, Texas State Guard, 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.

**Reemployment 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 (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 can be 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 Resource 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 Benefits Office 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, in the District newsletter, and through special events and activities. Recognition and appreciation activities also include:  *Awards for Excellence; Staff & Student Recognition; AVID; and Teacher Appreciation.*

District Communications

Throughout the school year, the communications office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements. They include the following:

- ECISD News e-mails (internal communications sent 2-3 times per week)
- Weekly Story Ideas press release to local media
- ECISD Expressions (employee newsletter published quarterly)
- Standard Attire Brochure (re-printed annually)
- One-page school calendar
- Book calendar for employees, VIPS, Board of Trustees, PTA council
- Monthly recognition of students and/or staff achievements at Board of Trustees meetings (this includes the monthly World Class Leader in Education Award given to an employee)
- School Board Recognition Month activities in January
- Celebrate Texas Public Schools Week display at Permian Basin Fair & Expo in September
- Awards for Excellence student recognition banquet in May
- Communications Council for Instructional/Classified/Transportation Staff (minutes of the discussion and actions taken from these meetings are e-mailed to committee members for further distribution)

Access to Personnel File

Employees are entitled, by law, to review the contents of their own personnel file. Employees may call Human Resources in advance to schedule an appointment if they wish to review their file.

Care of Own Children

Because it would impair work effectiveness, no employee may bring his/her child into the school or work place to remain during the workday without the supervisor’s approval.

Creditors

Creditors are not permitted to contact employees at school or at their work place during the workday. Employees should make every effort to meet their financial obligations to avoid embarrassment. Letters received concerning financial matters constitute cause for counseling; and, willful failure to pay debts may constitute just cause for dismissal.
On the Job Injury
All personnel are required by law and local policy to report all accidents and injuries immediately to their supervisor.

Complaints and Grievances.................................

Policy DGBA

In an effort to hear and resolve employee concerns or complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly grievance process. Employees are encouraged to discuss their concerns or complaints with their supervisors or an appropriate administrator at any time.

The formal 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 procedures are exhausted, employees can bring concerns or complaints to the Board of Trustees. The District’s process of bringing concerns and complaints may be found in policy DGBA, which is on the District’s website at http://pol.tasb.org/Policy/Code/421?filter=DGBA or a copy may be requested from the employee’s supervisor.

DGBA (LOCAL)

PERSONNEL-MANAGEMENT RELATIONS: EMPLOYEE COMPLAINTS/GRIEVANCES

GUIDING PRINCIPLES

INFORMAL PROCESS - The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

DIRECT COMMUNICATION WITH BOARD MEMBERS - Employees shall not be prohibited from communicating with a Board Trustee regarding District operations except when communication between an employee and a Trustee would be inappropriate because of a pending hearing or appeal related to the employee.

FORMAL PROCESS – If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form. Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time. The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

NOTICE TO EMPLOYEES – The District shall inform employees of this policy.

FREEDOM OF RETALIATION - Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.

WHISTLEBLOWER COMPLAINTS - Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]
Complaints against supervisors - Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.

COMPLAINTS – In this policy, the terms “complaint” and “grievance” shall have the same meaning. This policy shall apply to all employee complaints, except as provided below.

EXCEPTIONS – This policy shall not apply to:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability). [See DIA]
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional materials shall be submitted in accordance with EFA.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

GENERAL PROVISIONS

FILING - Complaint forms and appeal notices may be filed by hand-delivery, electronic communication, including e-mail and fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mailed responses shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

RESPONSE - At Levels One and Two, “response” shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee’s e-mail address of record, or sent by U.S. Mail to the employee’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

DAYS - “Days” shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”

REPRESENTATIVE - “Representative” shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.
The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.

CONSOLIDATING COMPLAINTS - Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint. When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.

UNTIMELY FILINGS - All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

COSTS INCURRED - Each party shall pay its own costs incurred in the course of the complaint.

COMPLAINT FORM - Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

AUDIO RECORDING - As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee’s complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

LEVEL ONE – Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and

2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.
If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the employee a written response within ten days following the conference. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

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

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

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the employee a written response within ten days following the conference. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

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

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.
The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board. The Superintendent or designee shall provide the Board the record of the Level Two appeal. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee’s representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.
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 of students, parents, other employees, and members of the community.
- 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 policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- 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.

All District employees should perform their duties in accordance with state and federal law, District policies and procedures, 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 knew of the incident. See Reports to the State Board for Educator Certification, page 55 for additional information.

The Educators’ Code of Ethics adopted by the Texas Education Agency 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).

ECISD provides a reporting hotline to report unethical behavior. To anonymously report unethical behavior 24 hours/day call: 1-844-600-0087 (English) or 1-800-216-1288 (Español)
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 applicable 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 students.

**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 of 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 or minor.

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
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.

District Dress Code

Policy DH

The dress and grooming of District employees shall be clean, neat, in a manner appropriate for his or her assignment, and in accordance with any additional standards established by his or her supervisor and approved by the superintendent.

Additional Standards:

Employees may not wear clothing items prohibited by the student handbook.

Staff is not permitted to wear any clothing, paraphernalia, grooming, jewelry, accessories, or body adornments that are disruptive or potentially disruptive to the educational environment as determined by the principal or supervisor.

All men’s shirts should be worn tucked in and if the pants have belt loops, a belt should be worn. Women's skirts should be of a modest, professional length, falling at or just above the knee. Skirts (or any clothes) that are too tight, too short or too revealing are not appropriate for the workplace. Employees should not wear clothing that exposes cleavage, the midriff, undergarments, or that is otherwise not modest.

Jeans are only permitted on days approved by the principal or supervisor. Apparel specific to Career and Technology instructors may be approved by campus administrator.

Hair

Hair must be clean and neat in appearance and consistently maintained. Hair styles/color must not be disruptive to the educational environment. Beards and moustaches must be neatly trimmed.

Shoes

Shoes should be kept in good condition. Plastic or rubber flip flops are not permissible. Employees may wear sandal footwear or open-toed shoes when seasonally appropriate.

Miscellaneous

No piercings (except earrings) or tattoos on the head. Body piercing and offensive tattoos should be covered. Good personal hygiene is required at all times.

Support Staff

Maintenance, transportation, food service and technical training employees shall be neat, clean, and well-groomed and in accordance with any additional standards established by their supervisors and approved by the superintendent.

Professional dress for “Aides”

Aides will dress professionally for classrooms, scrubs are appropriate if assigned in special areas.

Adherence

Principals and other administrative supervisors are delegated the authority and bear the
responsibility for ensuring compliance with this policy and are expected to counsel and/or
discipline employees whom they supervise on professional appearance in conformance with this
policy. In addition, a principal or administrative supervisor may deviate from this policy
temporarily to meet the needs of a specific division/school/work sites for an appropriately
specified purpose.

The principal or administrative supervisor must approve temporary deviations.
The Superintendent/Designee must approve long-term or non-temporary deviations.

(Examples) NOTE: This is not an exhaustive list.

**Men**

<table>
<thead>
<tr>
<th><strong>Appropriate:</strong></th>
<th><strong>Inappropriate:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dress slacks</td>
<td>Sweats/active wear (based on assignment)</td>
</tr>
<tr>
<td>“Docker” style slacks</td>
<td>Spandex</td>
</tr>
<tr>
<td>Buttoned dress shirts</td>
<td>Shorts</td>
</tr>
<tr>
<td>Polo or golf style shirts</td>
<td>Torn/ripped clothing</td>
</tr>
<tr>
<td>Turtlenecks</td>
<td>T-shirts/tank tops</td>
</tr>
<tr>
<td>Sweaters</td>
<td>Muscle shirts</td>
</tr>
<tr>
<td>Spirit wear</td>
<td>Flip flops</td>
</tr>
<tr>
<td>Ties</td>
<td>Crocs</td>
</tr>
<tr>
<td>Suits/sport coats</td>
<td>Caps/hats</td>
</tr>
<tr>
<td>Boots, dress shoes, casual shoes</td>
<td>Visible undergarments</td>
</tr>
<tr>
<td>Tennis shoes and/or athletic shoes</td>
<td>Revealing low cut pants</td>
</tr>
<tr>
<td>(coordinated with professional dress)</td>
<td>Sagging pants</td>
</tr>
</tbody>
</table>

**Women**

<table>
<thead>
<tr>
<th><strong>Appropriate:</strong></th>
<th><strong>Inappropriate:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Capri pants/Gaucho pants (below the knee)</td>
<td>Sweats/active wear (based on assignment)</td>
</tr>
<tr>
<td>Dresses/skirts</td>
<td>Shorts/Skorts</td>
</tr>
<tr>
<td>Pant suits/Dress slacks</td>
<td>Spandex</td>
</tr>
<tr>
<td>Buttoned dress shirts</td>
<td>Torn or ripped clothing</td>
</tr>
<tr>
<td>Polo or golf style shirts</td>
<td>Tank tops</td>
</tr>
<tr>
<td>Turtlenecks</td>
<td>Flip flops</td>
</tr>
<tr>
<td>Sweaters</td>
<td>Crocs</td>
</tr>
<tr>
<td>Dress, casual shoes, sandals</td>
<td>Caps/hats</td>
</tr>
<tr>
<td>Tennis shoes and/or athletic shoes</td>
<td>Visible undergarments</td>
</tr>
<tr>
<td>(coordinated with professional dress)</td>
<td>Revealing low cut pants</td>
</tr>
<tr>
<td></td>
<td>Sagging pants</td>
</tr>
<tr>
<td></td>
<td>Midriff bearing shirts</td>
</tr>
<tr>
<td></td>
<td>Bare shoulders</td>
</tr>
<tr>
<td></td>
<td>Low cut blouses/shirts</td>
</tr>
<tr>
<td></td>
<td>Tight/revealing clothing</td>
</tr>
</tbody>
</table>
Discrimination, Harassment, and Retaliation

*Policies DH, DIA*

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, 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 will result in disciplinary action.

Individuals who believe they have been discriminated or retaliated against, or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate District official. If the campus principal, supervisor, or District official is the subject of a complaint, the employee should report the complaint directly to the Superintendent. A complaint against the superintendent may be made directly to the board.

District policy DIA includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation may be found on the district website at: http://pol.tasb.org/Policy/Code/421?filter=DIA or a copy may be requested from the employee’s supervisor.

DIA(LOCAL)

**EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION**

*Note:* This policy addresses discrimination, harassment, and retaliation involving District employees. For discrimination, harassment, and retaliation involving students, see FFH. For reporting requirements related to child abuse and neglect, see FFG

**STATEMENT OF NONDISCRIMINATION** - The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.

**DISCRIMINATION** - Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee’s employment.

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

1. Has the purpose or effect of unreasonably interfering with the employee’s work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee’s performance, environment, or employment opportunities.

**EXAMPLES** - Examples of prohibited harassment may include offensive or derogatory language directed at another person’s religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.
**SEXUAL HARASSMENT** - Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee’s employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or

2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee’s work performance or creates an intimidating, threatening, hostile, or offensive work environment.

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

**RETRALIATION** - The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.

**EXAMPLES** - Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.

**PROHIBITED CONDUCT** - In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

**REPORTING PROCEDURES** - An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal. Alternatively, the employee may report the alleged acts to one of the District officials below.

**DEFINITION OF DISTRICT OFFICIALS** - For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

**TITLE IX COORDINATOR** - Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. By regulation, the District shall designate, from time to time, persons to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended.

**ADA/SECTION 504 COORDINATOR** - Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District shall, by regulation, designate from time to time persons to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended.

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

**ALTERNATIVE REPORTING PROCEDURES** - An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning
prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

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

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

INVESTIGATION OF THE REPORT - The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form. Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending. If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation. The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

CONCLUDING THE INVESTIGATION - Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation. The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

DISTRICT ACTION - If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct. The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

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

APPEAL - A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level. The complainant may have a right to file a complaint with appropriate state or federal agencies.

RECORDS RETENTION - Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years. [See CPC]

ACCESS TO POLICY - This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.
Harassment of Students

Policies DH, DHB FFG, 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 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, below, and Bullying, page 54 for additional information.

The District’s policy that includes definitions and procedures for reporting and investigating harassment of students are found in policies DHB and FFH and may be viewed on the District website at: http://pol.tasb.org/Home/Index/421, or copies may be requested from the employee’s supervisor.

FFH (local)

STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

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

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

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

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

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

Prohibited harassment includes dating violence as defined by this policy.

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

SEXUAL HARASSMENT

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

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or

2. The conduct is so severe, persistent, or pervasive that it:
   a. Affects the student’s ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student’s educational opportunities; or
   b. Creates an intimidating, threatening, hostile, or abusive educational environment.

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

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

1. Affects a student’s ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

2. Has the purpose or effect of substantially or unreasonably interfering with the student’s academic performance; or

3. Otherwise adversely affects the student’s educational opportunities.

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

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

DATING VIOLENCE - Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship.

EXAMPLES - Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student’s family members, or members of the student’s household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if
the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student’s spouse or current dating partner, or encouraging others to engage in these behaviors.

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

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

RETALIATION - The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or participates in an investigation.

EXAMPLES - Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

PROHIBITED CONDUCT - In this policy, the term “prohibited conduct” includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

REPORTING PROCEDURES - Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, counselor, principal, other District employee, or the appropriate District official listed in this policy.

DEFINITION OF DISTRICT OFFICIALS - For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

TITLE IX COORDINATOR - Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]

ADA/SECTION 504 COORDINATOR - Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]

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

ALTERNATIVE REPORTING PROCEDURES - A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent. A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

TIMELY REPORTING - Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District’s ability to investigate and address the prohibited conduct.
NOTICE OF REPORT – Any District employee who receives notice that a student has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

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

INVESTIGATION OF THE REPORT - The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form. Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at CRIMINAL INVESTIGATION.

If the District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI. The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.

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

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

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

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

CONCLUDING THE INVESTIGATION - Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation. The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.

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

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

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

**RECORDS RETENTION** – The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District’s records retention schedules, but for no less than the minimum amount of time required by law. [See CPC]

**ACCESS TO POLICY AND PROCEDURES** - Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District’s website, to the extent practicable, and readily available at each campus and the District’s administrative offices.

**Reporting Suspected Child Abuse**
*Policies DG, DH, DHB, 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.

Employees are also required to make a report if they have cause to believe that an adult was a victim of abuse or neglect as a child and they determine in good faith that the disclosure of the information is necessary to protect the health and safety of another child or disabled person.

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 or administrator 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 of a Class A misdemeanor. In addition, a certified employee’s failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of Texas 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.

Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. 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.

School District officials, administrators, and employees shall keep confidential the identity of a school official or employee who makes a report required by law.

**Sexual Abuse and Maltreatment of Children**

The District has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed at FFH(LOCAL). 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.

**Reporting Crime**

**Policy DG**

The Texas Whistleblower Act protects district employees who make good faith reports of violations of law by the district to an appropriate law enforcement authority. The district is prohibited from suspending, terminating the employment of, or taking other adverse personnel action against, an employee who makes a report under the Act. State law also provides employees with the right to report a crime witnessed at the school to any peace officer with authority to investigate the crime.
Technology Resources

Policy CQ

The district’s technology resources, including its networks, computer systems, e-mail accounts, devices connected to its networks, and all district-owned devices used on or off school property, are primarily for administrative and instructional purposes. Limited personal use of the system is permitted if the use:

- Imposes no tangible cost to the district.
- Does not unduly burden the district’s technology resources
- Has no adverse effect on job performance or on a student’s academic performance

Electronic mail transmissions and other use of technology resources are not confidential and can be monitored at any time to ensure appropriate use.

The policy can be viewed at: CQ(REGULATION)

Employees are required to abide by the provisions of the acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action, including termination of employment. The Acceptable Use Policy is given to employees upon hire and annually thereafter. Employees must sign the Agreement associated with the policy before they are allowed access to the District’s network and electronic communications system. The full text of the Technology Responsible Use Guidelines may be viewed on the District’s website and is included in the Appendix of this handbook. Employees with questions about computer use and data management can contact the Technology Services Division.

Personal Use of Electronic Media

Policy DH

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and web-based applications.

As role models for the District’s students, employees are responsible for their public conduct even when they are not acting as District employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee’s use of electronic media interferes with the employee’s ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee’s page, including content added by the employee, the employee’s friends, or members of the public who can access the employee’s page, and for Web links on the employee’s page. The employee is also responsible for maintaining privacy settings appropriate to the content.

An employee who uses electronic media for personal purposes shall observe the following:
• The employee may not set up or update the employee’s personal social network page(s) using the District’s computers, network, or equipment.

• The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.

• The employee shall not use the District’s logo or other copyrighted material of the District without express, written consent.

• An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on District business unless the employee first obtains written approval from the employee’s immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.

• The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  o Confidentiality of student records. [See Policy FL]
  o Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See Policy DH (EXHIBIT)]
  o Confidentiality of District records, including educator evaluations and private e-mail addresses. [See Policy GBA]
  o Copyright law [See Policy CY]
  o Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (EXHIBIT)]

Use of Electronic Media with Students

Policy DH

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the district through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee’s child, or a member or participant in the same civic, social, recreational, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student’s parent. The written consent shall include an acknowledgement by the parent that:
  • The employee has provided the parent with a copy of this protocol
• The employee and the student have a social relationship outside of school;
• The parent understands that the employee’s communications with the student are excepted from district regulation; and
• The parent is solely responsible for monitoring electronic communications between the employee and the student.

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

• **Electronic media** includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). **Electronic media** also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

• **Communicate** means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee’s personal social network page or a blog) is not a **communication**: however, the employee may be subject to District regulations on personal electronic communications. See **Personal Use of Electronic Media**, above. Unsolicited contact from a student through electronic means is not a **communication**.

• **Certified or licensed employee** means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

• The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
  
  o The employee shall include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;

  o The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
  
  o For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s District e-mail address.

• The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating
to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity.

- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of 7:00 p.m. and 7:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
  - Copyright law [Policy CY]
- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DHB]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.

**Criminal History Background Checks**

*Policy DBAA*

Employees may 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 shall 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 the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:
1. Crimes involving school property or funds;
2. 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;
3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
4. Crimes involving moral turpitude, which include:
   • Dishonesty, fraud, deceit, theft, misrepresentation;
   • Deliberate violence;
   • Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
   • Felony possession or conspiracy to possess, or any misdemeanor or felony transfer, sale, distribution, or conspiracy to transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
   • Felony driving while intoxicated (DWI); or
   • Acts constituting abuse or neglect under the Texas Family Code.

The District is authorized to and will periodically obtain updated criminal history information regarding current employees. If an educator is arrested or criminally charged, the superintendent is also required to report the educator’s criminal history to the Division of Investigations at TEA.

Alcohol-Free and Drug-Free Abuse Environment
_Policies DH, DI_

Ector County 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 or at school-related or school-sanctioned activities 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 terminated. All District employees are also required to be law abiding citizens and may be dismissed or otherwise disciplined for illegal activities outside the workplace. The District’s policy regarding employee drug abuse and drug-free schools follows:

**ALCOHOL AND DRUGS:** Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

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

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

**DRUG-FREE WORKPLACE REQUIREMENTS:** Employees may not manufacture, distribute, dispense, possess, use or be under the influence of a controlled substance, illicit...
drug, or alcohol, as those terms are defined in state and federal law, in the workplace, on school premises, or as part of any of the District’s activities. 41 U.S.C. 702(a)(1)(A); 28TAC 169.2

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. Information on available rehabilitation or employee assistance programs and contacts shall be posted throughout the workplace. 41 U.S.C. 702 (a)(1)(A); 28 TAC 169.2.

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. As a further condition of employment, an employee shall 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 the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated in District policy. 41 U.S.C. 702 (a)(1)(D)

Within 30 calendar days of the Superintendent or designee receiving notice from any source of a conviction for any drug statute violation occurring in the workplace, the superintendent or designee shall either (1) take appropriate personnel action against the employee, up to and including termination of employment or (2) require the employee to participate satisfactorily in a drug and alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. The cost of any such program shall be the responsibility of the employee. 41 U.S.C. 702 (a)(1)(B), 703

Tobacco Products and E-Cigarette Use
*Policies DH, FNCD, GKA*

State law prohibits smoking, using tobacco products, or e-cigarettes or on all district-owned property and at school-related or school-sanctioned activities, on or off school property. 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, using tobacco products, or e-cigarettes 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.

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 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 employee 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 confidential or proprietary information to outside parties
• Unauthorized disclosure of investment activities engaged in or contemplated by the district
• Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district, except as otherwise permitted by law or District policy
• Inappropriately destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
• Failing to provide financial records required by federal, state or local entities
• Failure to disclose conflicts of interest as required by law or District policy
• Any other dishonest act regarding the finances of the District
• Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

Conflict of Interest
Policy DBD

Employees are required to disclose in writing to the District 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

Employees should contact their supervisor for additional information.

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 textbooks, 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.

Copyrighted Materials
Policy EFE

Employees are expected to comply with the provisions of federal 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 backup of computer
programs and data must be made within the provisions of the purchase agreement.

**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.

Use of District resources, including work time for political activities, is prohibited.

**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 fundraiser or attending a meeting called for the purpose of soliciting charitable contributions.

**Safety**

*Policy CK*

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 Risk Management or the appropriate department director, supervisor, or campus administrator.

**Possession of Firearms and Weapons**

*Policies FNCG, GKA*

Employees, visitors, and students, including those with a license to carry a handgun are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) 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 supervisor or call the ECISD Police Department 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. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on district premises should immediately direct him or her to the building office or contact the administrator in charge.

**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 piece of district property. A copy of the district’s management plan is kept in the District Operations office and is available for inspection during normal business hours.

**Pest Control Treatment**  
*Policy CLB, DI*

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the district’s integrated pest management program.

Notices of planned pest control treatment will be posted in a District building 48 hours before the treatment begins. Notices are generally located at every school facility at the front entrance of the building. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who 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.

**Identification Badges**

Every employee is required to wear an identification badge while on ECISD property. ID badges are available with the Human Resource office located at 802 North Sam Houston no appointment necessary 432-456-1004. If an employee loses or damages the badge, a replacement will be made at the expense of the employee, $5 for a standard badge and $10 for a proximity badge.

**Employee Identification Numbers**

All employees will be assigned a system-generated unique identification number upon employment. This number will be used as the primary source of identification on most employee documents. It is the responsibility of the employee to safeguard this number and use it in lieu of the Social Security number where applicable.

The employee’s Social Security number may continue to be used by the District where necessary, and on documents where required (i.e. IRS W-2 form, health plan enrollment.
Ector County ISD provides each full time staff member with a network login and email address as well as access to numerous programs and resources.

- Your network login is your first name.last name, Password1
- Your email address is your firstname.lastname@ectorcountyisd.org.

If you need technical assistance, you may contact the ECISD Help Desk at 456-8646 or email at tech.support@ectorcountyisd.org.
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 close schools or release students early, District officials will post a notice on the district’s Web site and notify the following:

Big 2- KMID
CBS 7- KOSA
NewsWest 9- KWES/Telemundo
ICA Radio- KCRS AM
Fox- KPEJ
West Texas Radio Group – Kiks99
Cumulus Radio – KODM
Univision - KUPB

Announcements should begin airing no later than 6:00 a.m. on the day of the closing and/or delayed start. The following procedures will be followed:

- The superintendent has members of the central staff assist in determining whether or not schools should open when inclement weather is forecast.
- In the event school is cancelled, the entire District will close and a District-wide makeup will be announced at a later date.
- Field trips scheduled for the morning of delayed school opening should be cancelled and rescheduled by the principal.

Information about changes to the school day schedule will be also be posted to Facebook and Twitter. To follow ECISD on Facebook or Twitter, please visit the District’s website at www.ectorcountyisd.org and click on the link from the home page.

Emergencies

Policy CKC

All employees should be familiar with the safety procedures for responding to a medical emergency and evacuation diagrams posted in their work areas. Fire, tornado, and other emergency drills will be conducted to familiarize employees and students with evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all District buildings. Employees should know the location of these devises and procedures for their use.

Purchasing Procedures

Policy CH

All requests for purchases must be submitted to the Purchasing department through the District’s electronic purchasing system. No purchases, charges, or commitments to buy goods or services for the District can be made without an authorized purchase order 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
Purchasing 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 Resource Department and the Benefits Office if there are any changes or corrections to their name, home address, contact telephone number, marital status, or beneficiary. Forms to process a change in personal information can be obtained from Human Resource Department.

Updating Credentials
Policy DBA

All employees who have earned certificates, endorsements, or degrees of higher rank since the previous school year must file the documents with the District by submitting them to the Human Resources Department.

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, including personal cell phone number
- Personal e-mail address
- Emergency contact information
- Information that reveals whether they have family members

The employee should review and update this information for accuracy through the Employee Self Service. The choice to not allow public access to this information may be done at any time by submitting a written request to the Human Resource 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 in response to a proper request.

Building Use
Policies DGA, GKD

Employees who wish to use District facilities after school hours must follow established procedures. The campus principal is responsible for scheduling the use of facilities after school hours. Contact the principal to request to use school facilities, refer to GKD(EXHIBIT)A 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 superintendent or designee. Contract employees may resign at any other time only with the approval of the superintendent. Resignation without consent 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 Texas Education Agency, on page 55.

Non-contract employees. Non-contract employees may resign their positions at any time. A written notice of resignation should be submitted to the Superintendent or designee 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, DFFA, DFFB

Employees on probationary, term, and continuing contracts can be dismissed during the school year or non-renewed 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 when the employee’s certification is revoked for misconduct. Information on the time lines and procedures can be found in the DF series policies that are provided to the employees on the District’s website, www.ectorcountyisd.org

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, color, 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, page 38) policy DCD.
Job Abandonment

**Paraprofessional and auxiliary employees:** Employees absent from work for three (3) consecutive days without prior approval, and who fail to provide immediate notice or an acceptable reason to the department head/supervisor for such absence, will be considered as having resigned without notice, and the position will be declared vacant.

Exit Interviews and Procedures

*Policy DC*

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, and equipment must be returned upon separation from employment.

Reports to Texas Education Agency

*Policy DF*

The dismissal of a certified employee must be reported to the Division of Investigations at TEA whenever the termination is based on a determination that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact 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 district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on district property or at a school-sponsored event

The superintendent is also required to notify TEA when a certified employee resigns and there is reasonable evidence the educator engaged in the conduct listed above.

The reporting requirements above are in addition to the superintendent’s ongoing duty to notify TEA when a certified employee has a reported criminal history. “Reported criminal history” means any formal criminal justice system charges and dispositions including arrests, detentions, indictments, criminal information, convictions, deferred adjudications, and probations in any state or federal jurisdiction that is obtained by a means other than the Fingerprint-based Applicant Clearinghouse of Texas (FACT).

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 and
- Name and address of the employee’s new employer, if known

**Student issues.......................................................**

**Equal Educational Opportunities**

*Policies FB, FFH*

The Ector County Independent School District does not discriminate on the basis of race, color, religion, national origin, sex, 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 against students based on sex, including sexual harassment should be directed to the District’s Title IX Director. Questions or concerns about discrimination on the basis of a disability should be directed to the Executive Director of Special Education. All other questions or concerns relating to discrimination based on any other reasons should be directed to the superintendent.

**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: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. A district is not prohibited from granting the student access to the student’s records before this time.
- 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 for assistance.

**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 superintendent’s 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 to their satisfaction 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.

Administering Medication to Students
*Policy FFAC*

Only designated employees may administer prescription medication or nonprescription medication to students. Exceptions apply to the self-administration of asthma medication, medication for anaphylaxis (e.g. EpiPen®), and medication for diabetes management, if the medication is self-administered in accordance with district policy and procedures. A student who must take any other 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.

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.

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

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 Handbook and Student Code of Conduct. 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.

The board-approved Student Code of Conduct contains all the rules and requirements for conduct and discipline. Teachers receive a copy of the Student Code of Conduct and must be familiar with the rules of conduct. Each employee has the responsibility to be mindful of student conduct at all times and to intervene if students are harming each other or school property. In other situations, if an employee observes student misconduct, the employee must promptly inform the principal or assistant principal. In most circumstances, only professional employees will actually impose or administer disciplinary consequences. Employees can use reasonable restraint of students to prevent injury to the student or other students or employees, or to prevent property damage. However, students with disabilities can be restrained only in emergency situations.

Classroom teachers have the authority and responsibility to develop and communicate rules for classroom behavior. The District expects employees to handle minor disturbances in the classroom through these rules. However, if a student engages in classroom conduct that violates the Student Code of Conduct, the employee must complete a discipline referral form and send the student to the office.

Any employee who observes students acting in any way that could be construed as harassment or bullying under the Student Code of Conduct must promptly report the conduct to the principal or assistant principal and should intervene to correct or stop the conduct when possible. If you reasonably believe the conduct is sexual abuse of a child, then you must also make the required report to Child Protective Services or local law enforcement.

Classroom teachers must not leave students unattended at any time. This rule is particularly important at the elementary grades, but also applies at the secondary grades. If you must leave your classroom during instruction because of an emergency, inform the office so that arrangements can be made to have an adult present in the classroom while you are gone.

The District’s Student-Parent Handbook and Student Code of Conduct are on the District’s website and may be accessed through these links:

http://www.ectorcountyisd.org/Page/383
http://www.ectorcountyisd.org/page/774

Texas Education Code Chapter 37, Subchapter A addresses student discipline laws and can be accessed on the TEA website at http://www.tea.state.tx.us. Employees should review the student discipline laws by accessing this site. The law may be printed or provided in paper form by the Pupil Services Department. Questions related to student discipline should be directed to the campus administrator.
Student Attendance

Policy FEB

Teachers and staff should be familiar with the District’s policies and procedures for attendance accounting. These procedures require minor 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. The District’s policy that includes definitions and procedures for reporting and investigating bullying of students may be viewed at http://pol.tasb.org/Policy/Code/421?filter=FFI

STUDENT WELFARE: FREEDOM FROM BULLYING

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

BULLYING PROHIBITED - The District prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

DEFINITION - Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the District and that:

1. Has the effect or will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property; or

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

This conduct is considered bullying if it:

3. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and

4. Interferes with a student’s education or substantially disrupts the operation of a school.

EXAMPLES - Bullying of a student may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

RETAILATION - The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.
EXAMPLES - Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

FALSE CLAIM - A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

TIMELY REPORTING - A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

REPORTING PROCEDURES

STUDENT REPORT – To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

EMPLOYEE REPORT - Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

REPORT FORMAT - A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.

PROHIBITED CONDUCT - The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.

INVESTIGATION OF REPORT - The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

CONCLUDING THE INVESTIGATION - Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.

The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.

NOTICE TO PARENTS - If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

DISTRICT ACTION

BULLYING - If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District’s Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.
**DISCIPLINE** - A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

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

**CORRECTIVE ACTION** - Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District’s policy against bullying.

**TRANSFERS** - The principal or designee shall refer to FDB for transfer provisions.

**COUNSELING** - The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.

**IMPROPER CONDUCT** - If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.

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

**APPEAL** - A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.

**RECORDS RETENTION** - Retention of records shall be in accordance with CPC(LOCAL).

**ACCESS TO POLICY AND PROCEDURES** - This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District’s Web site, to the extent practicable, and shall be readily available at each campus and the District’s administrative offices.

**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. While most initiation rites are permissible, engaging in or permitting “hazing” is a criminal offense. 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.
District Policies (Legal and Local)

District policies may be accessed at:  http://pol.tasb.org/Home/Index/421

Employees should be familiar with the policies listed.

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