

**2018 - 2019**

**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 the Superintendent.

This handbook is neither a contract nor a substitute for the official district policy manual. It is not intended to alter the at-will status of employees in any way. Rather, it is a guide to and a brief explanation of district policies. District policies and procedures can change at any time. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. Policy manuals are located in superintendent's office and on the Web at ([www.tasb.org/policy/pol/private/056902](http://www.tasb.org/policy/pol/private/056902)).

## Employee handbook receipt – 2018-2019

Name \_\_\_\_\_

Assignment \_\_\_\_\_

I hereby acknowledge receipt of my personal copy of the Texline ISD Employee Handbook and the State of Texas Nutrition Policy. I agree to read the handbook and nutrition policy and abide by the standards, policies, and procedures defined or referenced in this document.

The information in this handbook is subject to change. I understand that changes in district policies may supersede, modify, or eliminate the information summarized in this booklet. As the district provides updated policy information, I accept responsibility for reading and abiding by the changes.

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Notice: Please print, sign, date and return one copy to Debbie Carter.**

## NOTICE OF AT WILL STATUS

(Support staff only)

My signature below acknowledges that I understand and accept the following:

- 1) THE TEXLINE INDEPENDENT SCHOOL DISTRICT EMPLOYEE HANDBOOK 2017-2018 IS NEITHER A CONTRACT NOR A SUBSTITUTE FOR THE OFFICIAL DISTRICT POLICY MANUAL.
- 2) THE TEXLINE INDEPENDENT SCHOOL DISTRICT EMPLOYEE HANDBOOK 2017-2018 DOES NOT ALTER THE AT-WILL STATUS OF NONCONTRACT EMPLOYEES IN ANY WAY.
- 3) ANY ADDITION, DELETION, AMENDMENT OR MODIFICATION TO DISTRICT POLICY WILL NOT ESTABLISH CONTRACTUAL RELATIONSHIPS WITH AT-WILL EMPLOYEES OR ALTER THE AT-WILL RELATIONSHIPS OF THOSE EMPLOYEES.

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

\_\_\_\_\_  
Date

**--- Please print, sign, date and return one copy to Debbie Carter .---**

Texline ISD  
Employee Guidelines for Acceptable Use Policy of Computers/Software/Networks  
2017-2018

All hardware, peripheral equipment, cabling, and software are the property of Texline Independent School District. The school district will have total control over these items. While this equipment is for the use of students, teachers and administrators, the school district reserves the right to bar any person from using the equipment if that person has stolen, misused, or abused our computer system. The following guidelines have been set for employees to follow. Texline ISD staff members shall report to the building administrator or the Instructional Technology Department any incidents of unauthorized or unacceptable access or use, including the names of those responsible.

1. Texline ISD purchases or licenses the use of copies of computer software from a variety of outside companies. Texline ISD does not own this software or its related documentation and does not have the right to reproduce it. Texline ISD will monitor and audit computers to verify proper use of software copyright laws.
2. Concerning use on local area networks (LANs) or on stand-alone machines, Texline ISD employees shall use the software in accordance with the license agreement. (For example, if you have ten computers in your classroom on which students use spreadsheet software, you must purchase ten copies of such software. If there are twenty-five secretaries using graphics printing software on their computers, each secretary must have a purchased copy, etc.) According to the U.S. Copyright Law, illegal reproduction of software can be subject to civil damages and criminal penalties, including fines and imprisonment. T.E.A. can and will fine schools and terminate employees and administrators for software piracy.
3. Texline ISD employees shall not use Texline ISD computers, networks or associated technologies for any personal/financial gain, such as running a business or creating documents for profit.
4. Texas law allows you the right to make an archive copy or backup copy to use in the event that your original disk no longer functions.
5. Texline ISD employees shall not authorize anyone else to use their name, login, password, Email account, or internet account for any reason. Users also shall not deliberately access any unacceptable, obscene, or objectionable information, language, video, animation, or images from any media source, i.e. internet or CD-ROM.
6. Texline ISD employees shall report in writing any violation of the acceptable use policy of computers/software/networks to the Texline ISD Superintendent within 24 hours of being made aware of the violation.

In order to make sure that all members of the Texline ISD community understand and agree to these rules of conduct, Texline ISD requires that you sign the following statement prior to use of the district's computers/software/network:

I, (please print your name) \_\_\_\_\_, have read and understand the Texline ISD Guidelines for Acceptable Use of Computers and Networks. I will abide by them in letter and spirit, and will not violate them. I understand that property rights to any software created will belong to the developers with credit given to all individuals involved, with Texline ISD name prominently listed, and with free and unrestricted license and use by Texline employees and students. I also understand that Texline ISD does not warrant that computers or networks will be error-free or uninterrupted; nor shall it be liable for any direct or indirect, incidental, or consequential damages (including lost data, information, or profits) sustained or incurred in connection with the use, operation, or inability to use the computer/network or related technologies.

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

\_\_\_\_\_  
Staff Member's Signature

**\*\*Please print, sign, date, and return one copy to Debbie Carter.**

## **ADA / 504 NOTICE**

**TEXLINE INDEPENDENT SCHOOL DISTRICT** does not discriminate on the basis of disability in admission to its programs, services, or activities, in access to them, in treatment of individuals with disabilities, or in any aspect of their operations. The Texline ISD also does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. Questions, complaints, or requests for additional information regarding the ADA and Section 504 may be forwarded to the designated ADA and Section 504 compliance coordinator.

<b>Name and Title:</b>	Terrell Jones / Superintendent
<b>Office Address:</b>	302 East Pine Street Texline, Texas 79087
<b>Phone:</b>	(806) 362-4667
<b>Days / Hours Available:</b>	Monday – Friday 8:00 AM – 4:00 PM

## **District information**

*TEXLINE ISD*  
*056902*

*EDUCATIONAL PHILOSOPHY*

*AE*  
*(LOCAL)*

### *VISION STATEMENT*

*Texline Independent School District, serving a small, rural, community, is committed to providing opportunity for academic success, instilling integrity, and developing productive, responsible citizens who are life-long learners.*

### *GOALS*

- 1. Texline School will support the belief that all students can learn:*
  - a. Assuring that teachers have the necessary tools to help provide successful learning for all.*
  - b. Integrating technology into the curriculum to maintain and increase high TAKS standards and to enhance educational programs.*
  - c. Providing staff development to support the integration of technology into the classroom.*
- 2. Texline School will provide an emphasis on teaching and learning balanced between higher level and those more basic skills that are truly a prerequisite to their mastery.*
- 3. Texline School will protect instructional time.*
- 4. Texline School will use a variety of assessment instruments to monitor student performance with the results used to improve student performance and to improve the instructional program.*
- 5. Texline School will promote a partnership between school and home.*
- 6. Texline School will provide effective communication between administration, staff, students, and parents.*
- 7. The principal will provide effective leadership as the instructional leader; however, the leadership function is viewed as a shared function with staff.*
- 8. Texline School will maintain a District Web site to serve as an educational resource.*
- 9. Texline School will utilize the District Improvement Team to maximize communication and resources for school improvement.*
- 10. Texline School will "Expect the Best" from all staff and students.*

*DATE ISSUED: 01/23/2008*

*UPDATE 82*

*AE (LOCAL)-X*

## **Board of trustees**

### *Policies B – Local Governance*

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 curriculum, school taxes, annual budget, employment of the superintendent and other professional staff, facilities, and expansions. The board has complete and final control over school matters within limits established by law and State Board of Education rules.

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

Board members:

Jody Bezner	-	President
Bobby Wyatt	-	Vice President
Chris Herrera	-	Secretary
Allan Frerich	-	Member
Alicia Bezner	-	Member
Lance Wann	-	Member
Mike Fury	-	Member

Trustees usually meet the 2nd Monday of each month at the administration building located at 302 East Pine Street. In the event that large attendance is anticipated, the board may meet at the school cafeteria. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the administration building and post office at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with two hours notice.

All meetings are open to the public. Under the following circumstances, Texas law permits the board to go into a closed session: to discuss prospective gifts or donations, property acquisition, personnel issues including conferences with employees and employee complaints, security matters, student discipline, or to consult with attorneys.

## **Administration**

Terrell Jones / Superintendent	806-362-4667
Ross Perschbacher / Principal	806-362-4284



## 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.

Region 16 Educational Service Center      Phone: 806-677-5000

## School directory

### Faculty

### Support

Pre-K	Sami Dennis	Stryker Green	Bus Foreman/Maint.
Kindergarten	Chelsea Sage	Debbie Carter	Business Mgr.
1 <sup>st</sup> Grade	Krista Trujillo	Karen Fernandez	Student Services
2 <sup>nd</sup> Grade	Jerra Riley	Becky Claycomb	Counselor
3 <sup>rd</sup> Grade	Sybil Holland	Michelle Reeser	Cafeteria
4 <sup>th</sup> Grade	Cassidy Welty	Alex Enterline	Tech. Coord.
5 <sup>th</sup> Grade	Megan Moore	Faye Henderson	Cafe/Main.
6 <sup>th</sup> & 7 <sup>th</sup> Math/Sc.	Hesper Heimann	Debbie Smith	Custodian
Reading Intervention	Rhonda Cantrell	Kim Speer	Instructional Aide
Art & Yearbook	Naomi Green	Gale Crum	Instructional Aide
HS Math/Science	Adam Maestas	Elizabeth Chairez	Instructional Aide
JH ELA & S.S.	Misty Luther	Chance Helms	Instructional Aide
HS Social Studies	Coby Beckner	Gail Herrera	Custodian
HS English	Danna Trujillo		
HS Science	Travis Stump	Terrell Jones	Principal
Vocational Agriculture	Clay Wheeler	Jody Johnson	Superintendent
Special Services	Rayanne McGee		
Boys Athletics	Coby Beckner		
Girls Athletics	Danna Garcia		
Assistant Athletics	Chance Helms/Alicia Smith		

## **Employment**

### **Equal employment opportunity**

#### *Policy DAA/DIA*

The Texline School District does not discriminate against any employee or applicant for employment because of race, religion, sex, age, national origin, disability, military status, or on any other basis prohibited by law. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

Employees with questions or concerns about discrimination on the bases of race, religion, sex, national origin, or age should contact the Superintendent. Employees with questions or concerns about discrimination on the bases of a disability should contact the Superintendent.

### **Job vacancy announcements**

#### *Policy DC*

Announcements of job vacancies by position and location are distributed on a regular basis and posted at the central administration building.

### **Employment after retirement**

#### *Policy DC, DCA*

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed in certain positions or on a part-time basis without affecting their benefits, according to TRS rules and state law. Service retirees who retire before May 31 may return to work in a Texas public school without a reduction in benefits one full calendar month after the retirement date provided they meet certain strict conditions. Retirees may work in the following capacities without a loss of retirement benefits:

- As a principal or assistant principal on a full-time basis, if certified as a principal and following a 12-month break in service. Retirees that retired under early age or disability provisions are excluded.
- As a full-time bus driver (early age and disability retirees excluded.)
- As a substitute at no more than the daily substitute pay rate (Individuals receiving disability retirement benefits may not work for more than 90 days in a school year.)
- On a half-time or less basis during any month, provided they are not also employed as a substitute in that month. Half-time employment cannot exceed the lesser of 50 percent of the position's full-time load or 92 hours in a month.
- On a full-time basis during a six-month period during a school year, provided that this is their only employment in a Texas public school. Individuals who retire in August may begin employment in October of the school year following their retirement.

Under this provision, retirees must submit annual written notice to TRS by the last day of the first month of full employment to avoid a disruption of benefits. Working any part of a month counts as a full month.

**Shortage areas.** Certain retirees may return to work on a full-time basis as a principal or assistant principal or teacher in an acute shortage area without a reduction in their annuities. Acute teaching shortage areas are determined by the board based on Commissioner of Education guidelines. When filling acute shortage area positions, the district must give hiring preference to certified applicants who are not retirees. To be eligible for full TRS benefits a retiree must meet the following criteria:

- Have not been subject to a reduction in benefits for retirement at an early age or retired under disability provisions
- Have a 12-month continuous break in public school service since retirement
- Be appropriately certified for the position in the applicable school year

Employees can contact the Business Manager for additional information or contact TRS by calling 800-223-8778 or 512-397-6400. TRS information is also available on the Web ([www.trs.state.tx.us](http://www.trs.state.tx.us)).

### **Contract and noncontract employment**

*Policies DC, DCA, DCB, DCD, DCE, CRF*

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

**Probationary contracts.** Nurses and full-time professional employees new to the district must receive probationary contracts during their first year of employment if they have not been previously employed by the district. The probationary period for those who have been employed in public schools for at least five of the eight years preceding employment with the district may not exceed one full school year. For those with less experience, the probationary period will be three full school years, with an optional fourth year if the district has doubts about whether a term or continuing contract should be given.

**Term and continuing 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. Campus principals and central office administrators are employed under term contracts. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract and employment policies.

***Noncertified professional and administrative employees.*** Employees in professional and administrative positions that do not require SBEC certification (such as non-instructional administrators) are not employed by contract. Employment is not for any specified term and may be terminated at any time by either the employee or the district.

**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.

## **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 purpose 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, lockers, and private vehicles parked on district premises or worksites or used in district business.

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

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

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

## **First aid and CPR certification**

### *Policy DBA,DMA*

Head coaches or chief sponsors of an extra-curricular athletic activity (including cheerleading) that is sponsored or sanctioned by the district or UIL must maintain and submit to the district proof of current certification in first aid, cardiopulmonary resuscitation (CPR), use of an automated defibrillator (AED), concussion and extracurricular athletic activity safety. Certification must be issued by the American Red Cross, the American Heart Association, University Interscholastic League or another organization that provides equivalent training and certification.

## **Reassignments and transfers**

### *Policy DK*

All personnel are subject to assignment and reassignment by the superintendent. Campus

reassignments must be approved by the principal at the receiving campus. When reassignments are due to enrollment shifts or program changes, the superintendent has final placement authority. Extracurricular or supplemental duty assignments may be reassigned at any time. Employees who object to a reassignment may follow the district process for employee complaints as outlined in this handbook and district policy DGBA (Local).

Employees with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. Teachers requesting a transfer to another campus before the school year begins must submit their request by May 1. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Superintendent's office and must be approved by the receiving supervisor.

### **Workload and work schedules**

*Policy DL, DEA, DEAB, DK*

**Professional employees.** Professional and administrative employees 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 required days of service and scheduled holidays will be distributed each school year.

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

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

### **Breaks for Expression of Breast Milk**

*Policies DEA, DEAB, 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 non-exempt 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.

## **Notification of parents regarding certification status**

*Policy DBA, DK*

Texas law requires that parents be notified if their child is assigned a teacher for more than 30 consecutive days who does not hold an appropriate teaching certificate. Inappropriately certified or uncertified teachers includes individuals serving with an emergency permit (including individuals waiting to take EXCET exam) or individuals who do not hold any certificate or permit. Not later than the 30<sup>th</sup> instructional day after the date of assignment the superintendent or designee will send a written notice to parents. Information relating to teacher certification will be made available to the public upon request.

Employees who have questions about their certification status can contact the superintendent.

## **Outside employment and tutoring**

*Policy DBD (local)*

An employee shall disclose in writing to his or her immediate supervisor any outside employment that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the District.

An employee shall disclose in writing to his or her immediate supervisor any private tutoring of District students for pay.

## **Performance evaluation**

*Policy DN, DNA, DNB*

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

## **Employee involvement**

*Policy BQA*

At both the campus and district levels, Texline ISD offers opportunities for involvement in matters that affect employees. As part of the district's decision-making process, employees may either be asked or 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 Superintendent's office.

## **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.

## **Compensation and benefits**

### **Salaries, wages, and stipends**

#### *Policy DEA*

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. 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 and administrative employees are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid based on hourly wages or provided compensatory time for each overtime hour worked. (See Overtime)

Salaries and wages are reviewed on an annual basis and adjusted according to the budgeted amounts approved by the board. All employees will receive written notice of their pay and work schedules before the start of each school year. Classroom teachers and librarians will be paid no less than the minimum state salary schedule. Contract employees who perform extracurricular duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

Employees should contact the Business Manager for more information about the district's pay schedules or their own pay.

### **Paychecks**

All professional employees are paid monthly. Direct deposit is the preferred method of payment. For those not choosing direct deposit, checks will be issued. During the summer break checks will be mailed to employees or picked up at the administration office.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. See the Business Manager if you have questions about your payroll statement.

The schedule of pay dates for the 2018-2019 school year follows:

Friday, August 31, 2018  
Monday, October 1, 2018  
Thursday, November 1, 2018  
Friday, November 30, 2018  
Tuesday, January 2, 2019  
Friday, February 1, 2019  
Friday, March 1, 2019  
Monday, April 1, 2019  
Wednesday, May 1, 2019  
Friday, May 31, 2019  
Monday, July 1, 2019  
Thursday, August 1, 2019



## **Payroll deductions**

### *Policy CFEA*

Automatic payroll deductions for the Texas Teacher Retirement System (TRS) and federal income tax are required for all full-time employees. Medicare tax deductions are required for all employees hired after March 31, 1986. Temporary and part-time employees who are not eligible for TRS membership will have a contribution to a FICA alternative 457 plan. Each employee that works more than 20 hours per week has the opportunity to contribute to a 403B plan if they so choose.

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; the Texas Tomorrow Fund; and savings deposits and loan payments through Moore County Credit Union. 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 DEA*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only nonexempt employees (hourly employees and some 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 in excess of 40 hours weekly and is not measured by the day or by the employee's regular work schedule. Employees who must work beyond their normal schedule but less than 40 hours per week will be compensated in straight-time pay or equivalent time off in the same work week. Employees must work more than 40 total hours in a week to earn overtime compensation. For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Sunday and ends at midnight Saturday.

Employees may be compensated for overtime with compensatory time off or direct pay at time-and-a-half rates. The following applies to all nonexempt employees:

- Employees can accumulate up to 60 hours of compensatory time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval as workload permits.
- An employee may be required to use comp time before using any other available paid leave (e.g., sick, personal, vacation).
- Weekly time sheets will be maintained on all nonexempt employees for the purpose of wage and

salary administration.

### **Travel expense reimbursement**

*Policy DEE*

Before any travel expenses are incurred by an employee, the Superintendent must give approval. For approved travel, employees will be reimbursed for travel expenditures. Employees must submit receipts to be reimbursed for expenses.

### **Mileage**

The district will only pay mileage according to the current rate schedule authorized by the district and the Internal Revenue Service if there is not a district vehicle available and the employee is forced to take their own vehicle.

The district will not put gasoline in employee's vehicles, unless approved by the Board of Trustees or the Superintendent in advance.

### **Health and life insurance**

Group health insurance coverage is available to employees. 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 may be obtained through the business office.

The insurance plan year is from September 1 through August 31. New employees must complete enrollment forms within the first week of employment. Current employees can make changes in their insurance coverage only during the open enrollment period. Employees should contact the Business Manager for more information.

### **Supplemental insurance benefits**

*Policy CRG*

At their own expense, employees can enroll in supplemental insurance programs. Premiums for these programs can be paid by payroll deduction. Employees should contact the Business Manager for more information.

### **Cafeteria plan benefits (Section 125)**

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., 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 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 are injured on the job. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case. All work related accidents or injuries should be reported immediately to the Superintendent. Employees who are unable to work due to a work related injury will be notified of their rights and responsibilities under the Texas Labor Code.

## **Unemployment compensation insurance**

### *Policy CRF*

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

## **Teacher retirement**

### *Policy CFEA, CRD, CRG, DC, DEA*

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

Employees who plan to retire under TRS should notify TRS as soon as possible. Inquiries should be addressed to: Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-397-6400. TRS information is also available on the Web ([www.trs.state.tx.us](http://www.trs.state.tx.us)). See employment after retirement for information on restrictions of employment of retirees in Texas public schools.

## **Leaves and Absences**

*Policy DEC, DECA, DECB, CRE*

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 have personal needs that will require long leaves of absence should contact the Superintendent for counseling about leave options, continuation of benefits, and communicating with the district.

Employees who take an unpaid leave of absence may continue their insurance benefits at their own expense. Health care benefits for employees on leave authorized under the Family and Medical Leave Act will be paid by the district as they were when they were working. The district does not make benefit contributions for employees who are not on active payroll status.

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

Personal and local sick leave is earned on a yearly basis. Leave is available for the employee's use noncumulative. If an employee leaves the district before the end of the work year, the cost of any unearned leave days shall be deducted from the employee's final paycheck.

### **Personal leave**

State law requires that all employees receive up to five days of paid personal leave per year. Personal leave is earned at a rate of 1/2 day for every 18 days worked. A day of earned personal leave is equivalent to an assigned workday. There is no limit on the accumulation of state personal leave, and it can be transferred to other Texas school districts and is generally transferable to education service centers. There are two types of personal leave: nondiscretionary and discretionary.

**Nondiscretionary.** Leave that is taken for personal or family illness, emergency, or a death in the family is considered nondiscretionary leave. This type of leave allows very little or no advance planning and will be granted to employees in the same manner as sick leave.

**Discretionary.** Leave that is taken at an employee's discretion and that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a notice of the request 5 days in advance of the anticipated absence to his or her principal or supervisor. Discretionary personal leave will be granted on a first come, first served basis. 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.

Discretionary leave on these days must have authorization by both principal and superintendent:

1. The day before or after a school holiday.

2. Days scheduled for end-of semester or end-of year exams.
3. Days scheduled for STARR tests.

### **Sick leave**

Previously accumulated state sick leave is available for use and may be transferred to other school districts in Texas. Sick leave can be used only in 5-day increments except when coordinated with family and medical leave taken on an intermittent or reduced schedule basis and 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.

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

### **Local leave**

Local leave of 4 days per year for each employee is allowed. Local leave is noncumulative. The first 2 days of local leave is handled exactly like state sick leave. The remaining 2 days the employee will pay for their substitute.

### **Temporary disability**

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

Employees must request approval for temporary disability leave. The leave 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 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 Superintendent should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to do the job. Professional employees returning from leave will be reinstated

to the school to which they were previously assigned as soon as an appropriate position is available. If a position is not available before the end of the school year, professional employees will be reinstated at the beginning of the following school year.

### **Family and medical leave**

Employees who work in the district and have been employed by the district for at least 12 months, and have worked at least 1,250 hours in the 12 months immediately preceding the need for leave are eligible for family and medical leave. Eligible employees can take up to 12 weeks of unpaid leave each year between August 1 and June 1 for the following reasons:

- The birth, adoption, or foster placement of a child
- To care for a spouse, parent, or child with a serious health condition
- An employee's serious health condition

A husband and wife who are both employed by the district are subject to limits in the amount of leave that they can take to care for a parent with a serious health condition or for the birth, adoption, or foster placement of a child.

Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave. Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

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

In some circumstances, employees may take family and medical leave in blocks of time or by reducing their normal weekly or daily work 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

When the need for family and medical leave is foreseeable, employees who want to use it must provide 30-day advance notice of their need. When the need for leave is not foreseeable, employees

must contact the Superintendent as soon as possible. Employees may be required to provide the following:

- Medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member

- Second or third medical opinions and periodic recertification of the need for leave

- Periodic reports during the leave regarding the employee's status and intent to return to work

- Medical certification from a qualified health care provider at the conclusion of leave of an employee's ability to return to work

Employees requiring family and medical leave should contact the Superintendent for details on eligibility, requirements, and limitations.

### **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 sick leave or any other leave benefits. While an employee is receiving workers' compensation wage benefits, the district will charge available leave proportionately so that the employee receives an amount equal to the employee's regular salary.

### **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.

In addition to all other days of leave provided by this section or by the school district, an employee of a school district who is physically assaulted during the performance of the employee's regular duties is entitled to the number of days of leave necessary to recuperate from all physical injuries sustained as a result of the assault. At the request of an employee, the school district must immediately assign an employee to assault leave and, on investigation of the claim, may change the assault leave status and charge the leave against the employee's accrued personal leave or against an employee's pay if insufficient accrued personal leave is available. Days of leave taken under this subsection may not be deducted from accrued personal leave. The period provided by this subsection may not extend more than two years beyond the date of the assault. Notwithstanding any other law, assault leave policy benefits due to an employee shall be coordinated with temporary income benefits due from workers' compensation so that the employee's total compensation from temporary income benefits and assault leave policy benefits equals 100 percent of the employee's weekly rate of pay.

## **Bereavement leave**

Employee shall receive up to three days leave for death of immediate family (Grandparent, parent, sibling, child) subject to the approval of the District.

## **Jury duty**

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service, and shall be allowed to retain any compensation for this service.

## **Other court appearances**

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Absences for court appearances related to an employee's personal business must be taken as personal leave or leave without pay (if no personal leave is available). Employees may be required to submit documentation of their need for leave for court appearances.

## **Military leave**

**Paid leave for military service.** Any employee who is a member of the Texas National Guard, Texas State Guard, or reserves component of the armed forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days per year.

**Reemployment after state military leave.** Employees who leave the district to enter into active duty with the Texas National Guard or Texas State Guard may return to employment if they are honorably discharged or released within five years. Employees who wish to return to the district will be reemployed in the same position they previously held or reassigned to a position of similar seniority, status, and pay, provided they are still qualified to perform the required duties of the position. Application for reemployment and evidence of honorable discharge or release must be submitted to the Superintendent within 90 days of discharge or separation.

**Re-employment after federal military leave.** Employees who leave the district to enter into the United States uniformed services may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they are still qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment to the Superintendent.

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 18 months. Employees should contact the Superintendent 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 5, 10, 15, 20, 25 and 30 year service recognition gifts presented annually to district employees.

### **District communications**

Throughout the school year, the principal's 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:

- Honor Rolls
- Monthly Calendar
- Monthly Newsletter
- Facebook
- Website
- eChalk App

## Complaints and grievances

### *Policy DGBA*

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

The formal grievance process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative grievance procedures are exhausted, employees can bring grievances to the board of trustees. For ease of reference, the district's policy concerning the process of bringing complaints and grievances is reprinted as follows:

*TEXLINE ISD*

*056902*

*PERSONNEL – MANAGEMENT RELATIONS:  
EMPLOYEE COMPLAINTS/GRIEVANCES*

*DGBA  
(LEGAL)*

UNITED STATES  
CONSTITUTION

The District shall take no action abridging the freedom of speech or the right of the people to petition the Board for redress of grievances. *U.S. Const. Amend. I, XIV*

The Board may confine its meetings to specified subject matter and may hold nonpublic sessions to transact business. But when the Board sits in public meetings to conduct public business and hear the views of citizens, it may not discriminate between speakers on the basis of the content of their speech or the message it conveys. *Rosenberger v. Rector & Visitors of Univ. of Virginia*, 515 U.S. 819, 828 (1995); *City of Madison v. Wis. Emp. Rel. Comm'n*, 429 U.S. 167, 174 (1976); *Pickering v. Bd. of Educ.*, 391 U.S. 563, 568 (1968) [See DG]

TEXAS CONSTITUTION

Employees shall have the right, in a peaceable manner, to assemble together for their common good and to apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance. *Tex. Const. Art. I, Sec. 27*

There is no requirement that the Board negotiate or even respond to complaints. However, the Board must stop, look, and listen and must consider the petition, address, or remonstrance. *Prof'l Ass'n of College Educators v. El Paso County Cmty. [College] District*, 678 S.W.2d 94 (Tex. App.—El Paso 1984, writ ref'd n.r.e.)

FEDERAL LAWS  
SECTION 504

A district that receives federal financial assistance, directly or indirectly, and that employs 15 or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973. *34 C.F.R. 104.7(b), .11*

AMERICANS WITH  
DISABILITIES ACT

A district that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the Code of Federal Regulations, Title 28, Part 35 (Americans with Disabilities Act regulations). *28 C.F.R. 35.107, .140*

TITLE IX                    A district that receives federal financial assistance, directly or indirectly, shall adopt and publish grievance procedures providing for prompt and equitable resolution of employee complaints alleging any action prohibited by Title IX of the Education Amendments of 1972. 34 C.F.R. 106.8(b); North Haven Bd. of Educ. v. Bell, 456 U.S. 512 (1982)

STATE LAWS                The prohibition against collective bargaining and strikes [see DGA] does not impair the right of employees to present grievances concerning their wages, hours of employment, or conditions of work, either individually or through a representative that does not claim the right to strike. Gov't Code 617.005

The term "conditions of work" should be construed broadly to include any area of wages, hours or conditions of employment, and any other matter that is appropriate for communications from employees to employer concerning an aspect of their relationship. *Atty. Gen. Op. JM-177 (1984)*; Corpus Christi Fed. of Teachers v. Corpus Christi Indep. Sch. Dist., 572 S.W.2d 663 (Tex. 1978)

The statute protects grievances presented individually or individual grievances presented collectively. Lubbock Prof'l Firefighters v. City of Lubbock, 742 S.W.2d 413 (Tex. App.—Amarillo 1987, writ ref'd n.r.e.)

REPRESENTATIVE        The District cannot deny an employee's representative, including an attorney, the right to represent the employee at any stage of the grievance procedure, so long as the employee designates the representative and the representative does not claim the right to strike. Lubbock Prof'l Firefighters v. City of Lubbock, 742 S.W.2d 413 (Tex. App.—Amarillo 1987, writ ref'd n.r.e.); Sayre v. Mullins, 681 S.W.2d 25 (Tex. 1984)

The District should meet with employees or their designated representatives at reasonable times and places to hear grievances concerning wages, hours of work, and conditions of work. The right to present grievances is satisfied if employees have access to those in a position of authority to air their grievances. However, that authority is under no legal compulsion to take action to rectify the matter. *Atty. Gen. Op. H-422 (1974)*; Corpus Christi Indep. Sch. Dist. v. Padilla, 709 S.W.2d 700 (Tex. App.—Corpus Christi, 1986, no writ)

EMPLOYMENT            The District's employment policy must provide each employee with the right to present POLICY                    grievances to the Board.

The policy may not restrict the ability of an employee to communicate directly with a member of the Board regarding a matter relating to the operation of the District, except that the policy may prohibit ex parte communication relating to:

A hearing under Education Code Chapter 21, Subchapter E (Term Contracts) or F (Hearing Examiners); and

Another appeal or hearing in which ex parte communication would be inappropriate pending a final decision by the Board.

*Education Code 11.1513*

GRIEVANCE POLICY    The District's grievance policy must permit an employee to report a grievance against a supervisor to a different supervisor if the employee alleges that the supervisor:

Violated the law in the workplace; or

Unlawfully harassed the employee.

TELEPHONE REPRESENTATION If the District's grievance policy provides for representation, the policy must permit an employee's representative to represent the employee through a telephone conference call at any formal grievance proceeding, hearing, or conference at which the employee is entitled to representation according to the policy. This provision applies to grievances under Education Code 11.171(a) and only if the District has the equipment necessary for a telephone conference call.

*Education Code 11.171(a), (c)*

AUDIO RECORDING The District's grievance policy must permit an employee who reports a grievance to make an audio recording of any meeting or proceeding at which the substance of a grievance that complies with the policy is investigated or discussed. The implementation of an employee's authorization to make an audio recording may not result in a delay of any time line provided by the grievance policy. The District is not required to provide equipment for the employee to make the recording. *Education Code 11.171(b)*

FINALITY OF GRADES An examination or course grade issued by a classroom teacher is final and may not be changed unless the grade is arbitrary, erroneous, or not consistent with the District's grading policy applicable to the grade, as determined by the Board.

The Board's determination is not subject to appeal.

*Education Code 28.0214*

OPEN MEETINGS ACT The Board is not required to conduct an open meeting to hear a complaint or charge against an employee. However, the Board may not conduct a closed meeting if the employee who is the subject of the hearing requests a public hearing. *Gov't Code 551.074* [See BEC]

CLOSED MEETING The Board may conduct a closed meeting on an employee complaint to the extent required or provided by law. *Gov't Code 551.082* [See BEC]

RECORD OF PROCEEDINGS An appeal of the Board's decision to the Commissioner shall be decided based on a review of the record developed at the District level. "Record" includes, at a minimum, an audible electronic recording or written transcript of all oral testimony or argument.

*Education Code 7.057(c), (f)*

It is the District's responsibility to make and preserve the records of the proceedings before the Board. If the District fails to create and preserve the record without good cause, all substantial evidence issues that require missing portions of the record for resolution shall be deemed against the District. The record shall include:

A tape recording or a transcript of the hearing at the local level. If a tape recording is used:

The tape recording must be complete, audible, and clear; and

Each speaker must be clearly identified.

All evidence admitted;

All offers of proof;

All written pleadings, motions, and intermediate rulings;

A description of matters officially noticed;

If applicable, the decision of the hearing examiner;

A tape recording or transcript of the oral argument before the Board; and

The decision of the Board.

*19 TAC 157.1073(d)*

WHISTLEBLOWER Before bringing suit, an employee who seeks relief under Government Code Chapter 554  
COMPLAINTS (whistleblowers) must initiate action under the District's grievance or appeal procedures  
relating to suspension or termination of employment or adverse personnel action. *Gov't*  
*Code 554.006 [See DG]*

## **Employee conduct and welfare**

### **Standards of conduct**

*Policy DH, DBD*

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

-Recognize and respect the rights and property of students and coworkers and maintain confidentiality in all matters relating to students and coworkers.

-Report to work according to the assigned schedule.

-Notify their immediate supervisor as early as possible (preferably in advance) in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, and tardiness may be cause for disciplinary action.

-Know and comply with department and district procedures and policies.

-Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.

-Use district time, funds, and property for authorized district business and activities only.

All employees, as public servants, must follow the Code of Ethics and Standard Practices for Texas Educators, which is reprinted below:

### **Code of Ethics and Standard Practices for Texas Educators**

#### TEXAS ADMINISTRATIVE CODE

Title 19 Education

Part 7 State Board for Educator Certification

Chapter 247 Educators' Code of Ethics

Rule §247.2 Code of Ethics and Standard Practices for Texas Educators

## Statement of Purpose

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 professional, shall request and obey the law, demonstrate personal integrity, and exemplify honesty. 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.

## Enforceable Standards

### (1) Professional Ethical Conduct, Practices and Performance

Standard 1.1. The educator shall not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.

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 request 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, 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.

### (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, sex, disability, or family status.

Standard 2.6 The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

Standards 2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC 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 knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health, or safety.

Standard 3.3 The educator shall not deliberately or knowingly 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, sex, disability, national origin, religion, or family status.

Standard 3.5 The educator shall not engage in physical mistreatment of a student.

Standard 3.6 The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student.

Standard 3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any student or knowingly allow any student to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

EMPLOYEE STANDARDS OF CONDUCT

DH  
(LEGAL)

EDUCATOR ETHICS Educators 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 State Board for Educator Certification (SBEC) shall provide for the adoption, amendment, and enforcement of an educator's code of ethics [see DH(EXHIBIT)]. SBEC is solely responsible for enforcing the ethics code for purposes related to certification disciplinary proceedings.

*Education Code 21.041(8); 19 TAC 247.1(b), (c)*

PUBLIC SERVANTS All district employees are "public servants" and therefore subject to Title VIII of the Penal Code, regarding offenses against public administration, including restrictions on the acceptance of illegal gifts, honoraria and expenses, and abuse of office. *Penal Code 1.07(a)(41), Title VIII* [See DBD and BBFA]

TOBACCO AND E-CIGARETTES A board shall prohibit smoking or using e-cigarettes or tobacco products at a school-related or school-sanctioned activity on or off school property.

ENFORCEMENT A board shall ensure that district personnel enforce the policies on school property.

*Education Code 38.006(b)* [See also FNCD and GKA]

DRUG AND ALCOHOL ABUSE PROGRAM A board shall prohibit the use of alcoholic beverages at school-related or school-sanctioned activities on or off school property. *Education Code 38.007(a)*

FEDERAL DRUG-FREE WORKPLACE ACT A district that receives a direct federal grant must agree to provide a drug-free workplace by:

Publishing a statement notifying employees of the requirements of the federal Drug-Free Workplace Act (DFWA) and requiring that each employee be given a copy of the statement [see DI(EXHIBIT)];

Establishing a drug-free awareness program for employees pursuant to the DFWA;

Notifying the granting agency within ten days after receiving notice that an employee has been convicted under a criminal drug statute;

Imposing a sanction on an employee who is convicted of such a violation, or requiring the employee's satisfactory participation in a drug abuse or rehabilitation program; and

Making a good faith effort to continue to maintain a drug-free workplace.

*41 U.S.C. 702(a)(1)*

DIETARY SUPPLEMENTS Except as provided at Education Code 38.011(b), a district employee may not:

Knowingly sell, market, or distribute a dietary supplement that contains performance-enhancing compounds to a primary or secondary education student with whom the employee has contact as part of the employee's duties; or



Knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance-enhancing compounds by a primary or secondary student with whom the employee has contact as part of the employee's duties.

An employee who violates items 1 or 2, above, commits a Class C misdemeanor offense.

*Education Code 38.011*

LOW-THC CANNABIS      A district may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the possession of low-THC cannabis, as authorized by Health and Safety Code Chapter 487. *Health and Safety Code 487.201*

Date Updated: 10/22/2015

Update: 103

## **Harassment**

*Policies DIA, DAA*

Harassment of a coworker or student motivated by race, color, religion, national origin, disability, or age is a form of discrimination and is prohibited by law. A substantiated charge of harassment against a student or employee shall result in disciplinary action. The term harassment includes repeated unwelcome and offensive slurs, jokes, or other oral, written, graphic, or physical conduct relating to an individual's race, color, religion, national origin, disability, or age that creates an intimidating, hostile, or offensive educational or work environment.

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

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

*TEXLINE ISD*  
*056902*

*EMPLOYEE WELFARE*  
*FREEDOM FROM HARASSMENT*

*DIA*  
*(LOCAL)*

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**Note:** This policy addresses discrimination, harassment and retaliation involving District employees. In this policy, the term "employees" includes former employees and applicants for employment. For discrimination, harassment, and retaliation involving students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

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DEFINITIONS	Solely for purposes of this policy, the term “employees” includes former employees, applicants for employment, and unpaid interns.
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	<p>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:</p> <p>Has the purpose or effect of unreasonably interfering with the employee’s work performance;</p> <p>Creates an intimidating, threatening, hostile, or offensive work environment; or</p> <p>Otherwise adversely affects the employee’s performance, environment, or employment opportunities.</p>
EXAMPLES	<p>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.</p>
SEXUAL HARASSMENT	<p>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:</p> <p>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</p> <p>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.</p>
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.
RETALIATION	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	<p>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.</p> <p>Alternatively, the employee may report the alleged acts to one of the District officials below.</p>
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 designated Title IX coordinator. [See DIA(EXHIBIT)]
ADA / SECTION 504 COORDINATOR	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]
SUPERINTENDENT	The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.
ALTERNATIVE REPORTING PROCEDURES	<p>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.</p> <p>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.</p>
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.
NOTICE OF REPORT	Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.
INVESTIGATION OF THE REPORT	<p>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.</p> <p>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.</p>

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.
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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.
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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.
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APPEAL	A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.
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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]
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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.
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Date Issued: 10/22/2015

Update: 103

DIA (Local)

## Sexual harassment

*Policies DAA, DIA, FB*

**Employee-to-employee.** Sexual harassment of a coworker is a form of discrimination and is prohibited by law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct under the following conditions:

- Submission to such conduct is explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for employment decisions.
- The conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or otherwise offensive work environment.

Employees who believe that they have been subject to sexual harassment are encouraged to come forward with complaints. The district will promptly investigate all allegations of sexual harassment and take appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment of other employees. The district's policy outlining the process of filing complaints of sexual harassment is reprinted below:

Texline ISD  
056902

EMPLOYEE WELFARE:  
FREEDOM FROM HARASSMENT

DIA  
(LEGAL)

OFFICIAL  
OPPRESSION

A public official commits a Class A misdemeanor if, while acting in his or her official or employment capacity, the official intentionally subjects another to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to which is made a term or condition of a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly. *Penal Code 39.03*

HARASSMENT OF  
EMPLOYEES

Harassment on the basis of a protected characteristic is a violation of the federal anti-discrimination laws. A district has an affirmative duty, under Title VII, to maintain a working environment free of harassment on the basis of sex, race, color, religion, and national origin. *42 U.S.C. 2000e, et seq.; 29 CFR 1606.8(a), 1604.11*

Harassment violates Title VII if it is sufficiently severe and pervasive to alter the conditions of employment. *Pennsylvania State Police v. Suders, 542 U.S. 129 (2004)*

Title VII does not prohibit all verbal and physical harassment in the workplace. For example, harassment between men and women is not automatically unlawful sexual harassment merely because the words used have sexual content or connotations. *Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)*

HOSTILE  
ENVIRONMENT

Verbal or physical conduct based on a person's sex, race, color, religion, or national origin constitutes unlawful harassment when the conduct:

Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;

Has the purpose or effect of unreasonably interfering with an individual's work performance; or  
Otherwise adversely affects an individual's employment opportunities.

Pennsylvania State Police v. Suders, 542 U.S. 129 (2004); Nat'l Railroad Passenger Corp. v. Morgan, 536 U.S. 101 (2002); Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986); 29 CFR 1604.11, 1606.8

QUID PRO QUO          Conduct of a sexual nature also constitutes harassment when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.

29 CFR 1604.11(a)

SAME-SEX SEXUAL HARASSMENT          Same-sex sexual harassment constitutes sexual harassment. Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)

HARASSMENT POLICY          A district should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate penalties, informing employees of their right to raise and how to raise the issue of harassment under Title VII, and developing methods to sensitize all concerned. 29 CFR 1604.11(f)

CORRECTIVE ACTION          A district is responsible for acts of unlawful harassment by fellow employees and by nonemployees if the district, its agents, or its supervisory employees knew or should have known of the conduct, unless the district takes immediate and appropriate corrective action. 29 CFR 1604.11(d), (e), 1606.8(d), (e)

When no tangible employment action is taken, a district may raise the following affirmative defense:

That the district exercised reasonable care to prevent and promptly correct any harassing behavior;  
and

That the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer or to avoid harm otherwise.

Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 (1998); Faragher v. City of Boca Raton, 524 U.S. 775 (1998)

HARASSMENT OF UNPAID INTERNS          A district commits an unlawful employment practice if sexual harassment of an unpaid intern occurs and the district or its agents or supervisors know or should have known that the conduct constituting sexual harassment was occurring, and fail to take immediate and appropriate corrective action. Labor Code 21.1065

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Update: 103

DIA (Legal)

**Employee-to-student.***Policy FFH(LOCAL)*

Sexual harassment of students by employees is a form of discrimination and is prohibited by law. Sexual harassment of students includes any welcome or unwelcome sexual advances, requests for sexual favors, and other oral, written, physical, or visual conduct of a sexual nature. Romantic relationships between district employees and students are strictly prohibited. Other prohibited conduct includes the following:

- Engaging in sexually oriented conversations for the purpose of personal sexual gratification
- Telephoning students at home or elsewhere and engaging in inappropriate social relationships
- Engaging in physical contact that would reasonably be construed as sexual in nature
- Enticing or threatening students to get them to engage in sexual behavior in exchange for grades or other school-related benefits

In most instances, sexual abuse of a student by an employee violates a student's constitutional right to bodily integrity. Sexual abuse may include, but is not limited to, fondling, sexual assault, or sexual intercourse.

Employees who suspect a student is being sexually harassed or abused by another employee are obligated to report their concerns to the campus principal. All allegations of sexual harassment or sexual abuse of a student will be reported to the student's parents and promptly investigated. Conduct that may be characterized as known or suspected child abuse will also be reported to the appropriate authorities, as required by law. Employees with questions or concerns relating to the alleged sexual harassment of a student should contact the Superintendent.

**Drug-abuse prevention***Policies DH*

Texline ISD is committed to maintaining a drug-free environment and will not tolerate the use of illegal drugs in the workplace. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy on drug abuse and drug-free schools follows:

All District employees shall perform their duties in accordance with state and federal law, District policy, and ethical standards. [See DH(EXHIBIT)]

All District employees shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

*TEXLINE ISD*

056902

Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. [See DH(EXHIBIT)]

Each District employee shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

An employee wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

VIOLATIONS OF STANDARDS OF CONDUCT      Each employee shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to his or her status as a District employee. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCD and DF series]

WEAPONS PROHIBITED      The District prohibits the use, possession, or display of any firearm, illegal knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.

EXCEPTIONS      No violation of this policy occurs when:

Use or possession of a firearm by a specific employee is authorized by Board action. [See CKC]

The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

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

USE WITH STUDENTS      In accordance with administrative regulations, a certified or licensed employee, or any other employee designated in writing by the Superintendent or a campus principal, may use electronic media to communicate with currently enrolled students about matters within the scope of the employee's professional responsibilities. All other employees are prohibited from using electronic media to communicate directly with students who are currently enrolled in the District. The regulations shall address:

Exceptions for family and social relationships;

The circumstances under which an employee may use text messaging to communicate with students; and

Other matters deemed appropriate by the Superintendent or designee.

Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CPC]

PERSONAL USE      An employee shall be held to the same professional standards in his or her public use of electronic media as for any other public conduct. If an employee's use of electronic media violates state or federal law or District policy, or 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.



SAFETY REQUIREMENTS	Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.
HARASSMENT OR ABUSE	<p>An employee shall not engage in prohibited harassment, including sexual harassment, of:</p> <ul style="list-style-type: none"> <li>Other employees. [See DIA]</li> <li>Students. [See FFH; see FFG regarding child abuse and neglect.]</li> </ul> <p>While acting in the course of employment, an employee shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.</p> <p>An employee shall report child abuse or neglect as required by law. [See FFG]</p>
RELATIONSHIPS WITH STUDENTS	An employee shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See FFH]
TOBACCO AND E-CIGARETTES	An employee shall not smoke or use tobacco products or e-cigarettes on District property, in District vehicles, or at school-related activities. [See also GKA]
ALCOHOL AND DRUGS	<p>An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on District property or at school-related activities during or outside of usual working hours:</p> <ul style="list-style-type: none"> <li>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.</li> <li>Alcohol or any alcoholic beverage.</li> <li>Any abusable glue, aerosol paint, or any other chemical substance for inhalation.</li> <li>Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.</li> </ul> <p>An employee need not be legally intoxicated to be considered “under the influence” of a controlled substance.</p>
EXCEPTIONS	<p>It shall not be considered a violation of this policy if the employee:</p> <ul style="list-style-type: none"> <li>Manufactures, possesses, or dispenses a substance listed above as part of the employee’s job responsibilities;</li> <li>Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee’s personal use; or</li> <li>Possesses a controlled substance or drug that a licensed physician has prescribed for the employee’s child or other individual for whom the employee is a legal guardian.</li> </ul>
NOTICE	<p>Each employee shall be given a copy of the District’s notice regarding drug-free schools. [See DI(EXHIBIT)]</p> <p>A copy of this policy, a purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.</p>

ARRESTS,  
INDICTMENTS,  
CONVICTIONS, AND  
OTHER  
ADJUDICATIONS

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:

Crimes involving school property or funds;

Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;

Crimes that occur wholly or in part on school property or at a school-sponsored activity; or

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.

DRESS AND  
GROOMING

An employee's dress and grooming 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.

*Date Issued: 10/22/2015*

*Update: 103*

*DH (Local)*

*DRUG-FREE WORKPLACE REQUIREMENTS*

**DRUG-FREE WORKPLACE NOTICE**

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace.

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

Referral to drug and alcohol counseling or rehabilitation programs;

Referral to employee assistance programs;

Termination from employment with the District; and

Referral to appropriate law enforcement officials for prosecution.

As a condition of employment, an employee shall:

Abide by the terms of this notice; and

Notify the Superintendent, in writing, if the employee is convicted for a violation of a criminal drug statute occurring in the workplace. The employee must provide the notice in accordance with DH(LOCAL).

[This notice complies with the requirements of the federal Drug-Free Workplace Act (41 U.S.C. 702).]

*Date Issued: 1-26-2010*

*Update: 87*

*DI (Exhibit)*

**Dietary supplements**

*Policy DH*

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.

**Reporting suspected child abuse**

*Policy FFG(LEGAL)(EXHIBIT), GRA(LEGAL)(EXHIBIT)*

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

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

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

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

### **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.

### **Safety**

#### *Policy CK, CKA, CKC, CLB, CLC, CKD*

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 requirement:

- Observe all safety rules.

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

Employees with questions or concerns relating to safety programs and issues can contact the Superintendent.

### **Tobacco use**

*Policies DH, GKA, FNCD*

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

### **Employee arrests and convictions**

*Policy DH*

An employee who is arrested for any felony or any offense involving moral turpitude must report the arrest to the principal or immediate supervisor within three calendar days of the arrest. An employee who is convicted of or receives deferred adjudication for such an offense must also report that event to the principal or immediate supervisor within three days of the event. Moral turpitude includes, but is not limited to, the following:

- Dishonesty
- Fraud
- Deceit
- Theft
- Misrepresentation
- Deliberate violence
- Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
- Drug- or alcohol-related offenses
- Acts constituting abuse under the Texas Family Code

### **Possession of firearms and weapons**

*Policies FNCG, GKA*

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

## **Copyrighted materials**

### *Policy EFE*

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

## **Computer use and data management**

### *Policy CQ*

The district's electronic communications systems, including its network access to the Internet, 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 computer or network resources
- Has no adverse effect on job performance or on a student's academic performance

Electronic mail transmissions and other use of the electronic communications systems are not confidential and can be monitored at any time to ensure appropriate use.

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

## **Gifts and favors**

### *Policy DBD, BBFB*

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 may result in prosecution of a class B misdemeanor offense. This does not include staff development, teacher training, or instructional materials, such as maps or worksheets, that convey information to students or contribute to the learning process.

**Asbestos management plan**

*Policy CKA*

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

**Pest control treatment**

*Policy DI, CLB*

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located in the outer foyer of each building. Pest control information sheets are available from campus principals or facility managers upon request.

## **General procedures**

### **Bad weather closing**

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

#### **KXIT (96.3 FM) Dalhart Radio**

**KLMX (1450 AM) Clayton Radio**

**KAMR (Channel 4) Amarillo TV**

**KVII (Channel 7) Amarillo TV**

**KFDA (Channel 10) Amarillo TV**

**eChalk App**

### **Emergencies**

*Policy CKC*

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

### **Drills - Fire, Tornado, and Other Emergency Drills**

Students, teachers, and other District employees will participate in drills of emergency procedures. When the alarm is sounded, students should follow the direction of teachers or marshals quickly, quietly, and in an orderly manner.



## **Purchasing procedures**

### *Policy CH*

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

## **Name and address changes**

It is important that employment records be kept up to date. Employees should notify the Superintendent's office if there are any changes or corrections to their name, home address, home telephone number, marital status, emergency contact, or beneficiary. Forms to process a change in personal information can be obtained at the Superintendent's office.

## **Personnel records**

### *Policy GBA*

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

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

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

## **Building use**

### *Policy GKD*

The Superintendent is responsible for scheduling the use of facilities after school hours. Contact the superintendent's office to request to use school facilities and to obtain information on the fees charged.

## Termination of employment

### Resignations

#### *Policy DFE*

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

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

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

### Dismissal or nonrenewal of contract employees

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

Employees on probationary, term, and continuing contracts can be dismissed during the school year or non-renewed at the end of the year according to the procedures outlined in district policies. 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 timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Information on the timelines and procedures can be found in the DF policies that are provided to employees or in the policy manuals located in the administrative offices.

#### *Texline ISD*

056902

#### *TERM CONTRACTS*

#### *NONRENEWAL*

#### *DFBB*

#### *(LOCAL)*

#### REASONS

The recommendation to the Board and its decision not to renew a contract under this policy shall not be based on an employee's exercise of Constitutional rights or based unlawfully on an employee's race, color, religion, sex, national origin, disability, or age. Reasons for proposed nonrenewal of an employee's term contract shall be:

Deficiencies pointed out in observation reports, appraisals or evaluations, supplemental memoranda, or other communications.

Failure to fulfill duties or responsibilities.

Incompetency or inefficiency in the performance of duties.

Inability to maintain discipline in any situation in which the employee is responsible for the oversight and supervision of students.

Insubordination or failure to comply with official directives.

Failure to comply with Board policies or administrative regulations.

Excessive absences.

Conducting personal business during school hours when it results in neglect of duties.

Reduction in force because of financial exigency. [See DFFA]

Reduction in force because of a program change. [See DFFB]

A decision by a campus intervention team that the employee not be retained at a reconstituted campus. [See AIC]

The employee is not retained at a campus that has been repurposed in accordance with law. [See AIC]

Drunkenness or excessive use of alcoholic beverages; or possession, use, or being under the influence of alcohol or alcoholic beverages while on school property, while working in the scope of the employee's duties, or while attending any school- or District-sponsored activity.

The illegal possession, use, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogens, or other substances regulated by state statutes.

Failure to meet the District's standards of professional conduct.

Failure to report any arrest, indictment, conviction, no contest or guilty plea, or other adjudication for any felony, any crime involving moral turpitude, or other offense listed at DH(LOCAL). [See DH]

Conviction of or deferred adjudication for any felony, any crime involving moral turpitude, or other offense listed at DH(LOCAL); or conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony. [See DH]

Failure to comply with reasonable District requirements regarding advanced coursework or professional improvement and growth.

Disability, not otherwise protected by law, that prevents the employee from performing the essential functions of the job.

Any activity, school-connected or otherwise, that, because of publicity given it, or knowledge of it among students, faculty, and community, impairs or diminishes the employee's effectiveness in the District.

Any breach by the employee of an employment contract or any reason specified in the employee's employment contract.

Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community, or colleagues.

A significant lack of student progress attributable to the educator.

Behavior that presents a danger of physical harm to a student or to other individuals.

Assault on a person on school property or at a school-related function, or on an employee, student, or student's parent regardless of time or place.

Use of profanity in the course of performing any duties of employment, whether on or off school premises, in the presence of students, staff, or members of the public, if reasonably characterized as unprofessional.

Falsification of records or other documents related to the District's activities.

Falsification or omission of required information on an employment application.

Misrepresentation of facts to a supervisor or other District official in the conduct of District business.

Failure to fulfill requirements for certification, including passing certification examinations required by state law for the employee's assignment.

Failure to achieve or maintain "highly qualified" status as required for the employee's assignment.

Failure to fulfill the requirements of a deficiency plan under an Emergency Permit, a Special Assignment Permit, or a Temporary Classroom Assignment Permit.

Any attempt to encourage or coerce a child to withhold information from the child's parent or from other District personnel.

Any reason that makes the employment relationship void or voidable, such as a violation of federal, state, or local law.

Any reason constituting good cause for terminating the contract during its term.

**RECOMMENDATIONS FROM ADMINISTRATION** Administrative recommendations for renewal or proposed nonrenewal of professional employee contracts shall be submitted to the Superintendent. A recommendation for proposed nonrenewal shall be supported by any relevant documentation. The final decision on the administrative recommendation to the Board on each employee's contract rests with the Superintendent.

**SUPERINTENDENT'S RECOMMENDATION** The Superintendent shall prepare lists of employees whose contracts are recommended for renewal or proposed nonrenewal by the Board. Supporting documentation, if any, and reasons for the recommendation shall be submitted for each employee recommended for proposed nonrenewal. The Board shall consider such information, as appropriate, in support of recommendations for proposed nonrenewal and shall then act on all recommendations.

**NOTICE OF PROPOSED NONRENEWAL** After the Board votes to propose nonrenewal, the Superintendent or designee shall deliver written notice of proposed nonrenewal in accordance with law.

If the notice of proposed nonrenewal does not contain a statement of the reason or all of the reasons for the proposed action, and the employee requests a hearing, the District shall give the employee notice of all reasons for the proposed nonrenewal a reasonable time before the hearing. The initial notice or any subsequent notice shall contain the hearing procedures.

**REQUEST FOR HEARING** If the employee desires a hearing after receiving the notice of proposed nonrenewal, the employee shall notify the Board in writing not later than the 15th day after the date the employee received the notice of proposed nonrenewal.

When a timely request for a hearing on a proposed nonrenewal is received by the presiding officer, the hearing shall be held not later than the 15th day after receipt of the request, unless the parties mutually agree to a delay. The employee shall be given notice of the hearing date as soon as it is set.

#### HEARING PROCEDURES

Unless the employee requests that the hearing be open, the hearing shall be conducted in closed meeting with only the members of the Board, the employee, the Superintendent, their representatives, and such witnesses as may be called in attendance. Witnesses may be excluded from the hearing until called to present evidence. The employee and the administration may choose a representative. Notice, at least five days in advance of the hearing, shall be given by each party intending to be represented, including the name of the representative. Failure to give such notice may result in postponement of the hearing.

The conduct of the hearing shall be under the presiding officer's control and shall generally follow the steps listed below:

After consultation with the parties, the presiding officer shall impose reasonable time limits for presentation of evidence and closing arguments.

The hearing shall begin with the administration's presentation, supported by such proof as it desires to offer.

The employee may cross-examine any witnesses for the administration.

The employee may then present such testimonial or documentary proof, as desired, to offer in rebuttal or general support of the contention that the contract be renewed.

The administration may cross-examine any witnesses for the employee and offer rebuttal to the testimony of the employee's witnesses.

Closing arguments may be made by each party.

A record of the hearing shall be made.

#### BOARD DECISION

The Board may consider only evidence presented at the hearing. After all the evidence has been presented, if the Board determines that the reasons given in support of the recommendation to not renew the employee's contract are lawful, supported by the evidence, and not arbitrary or capricious, it shall so notify the employee by a written notice not later than the 15th day after the date on which the hearing is concluded. This notice shall also include the Board's decision on renewal, which decision shall be final.

#### NO HEARING

If the employee fails to request a hearing, the Board shall take the appropriate action and notify the employee in writing of that action not later than the 30th day after the date the notice of proposed nonrenewal was sent.

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DFBB (Local)

## **Dismissal of noncontract employees**

### *Policy DCD*

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

## **Exit interviews and procedures**

### *Policy DC (LOCAL)*

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 their employment experience.

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

## **Reports to the State Board for Educator Certification**

### *Policy DF*

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

- Any form of sexual or physical abuse of a minor or any other illegal conduct with a minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position
- Committing a crime on school property or at a school sponsored event

## **Reports concerning court-ordered withholding**

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

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

## **Student issues**

### **Equal educational opportunities**

#### *Policy FB*

The Texline School District does not discriminate on the basis of race, religion, color, 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 of students on the basis listed above should be directed to the Principal.

### **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 of a minor or of a student who is a dependent for tax purposes
- The student (if 18 or older or attending an institute of postsecondary education)
- 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 should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response. Once all administrative complaint procedures are exhausted, parents and students can bring complaints to the board of trustees.

## **Administering medication to students**

### *Policy FFAC*

Only designated employees can administer medication to students. A student who must take prescription medicine 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.

## **Student discipline**

### *Policies in the FN series and FO series*

Students are expected to follow the campus rules, classroom rules, and rules listed in the Student Code of Conduct and student handbook. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management procedures that have been adopted by the district. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or campus principal.

Teachers must file a written report with the principal or another appropriate administrator when they have knowledge that a student has violated the Student Code of Conduct. A copy of this report will be sent by the principal or administrator to the student's parents within 24 hours.

## **Student Attendance**

### *Policy FEA, FEB, FEC, FED*

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