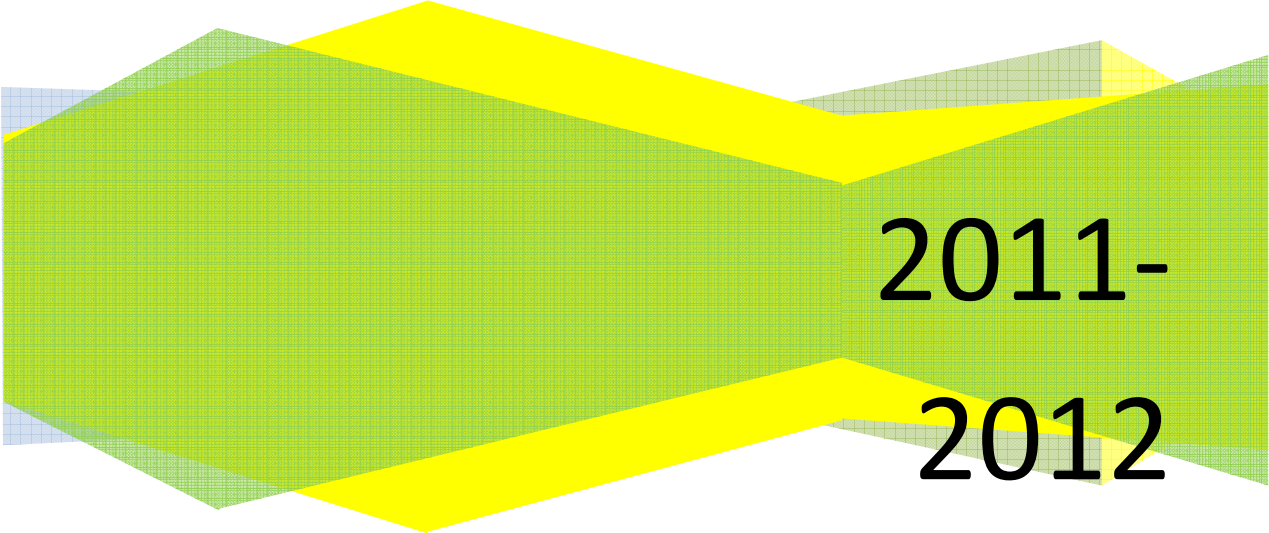


# BOYD ISD

## EMPLOYEE

## HANDBOOK



2011-  
2012

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# INTRODUCTION

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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. 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. A policy manual is located in the central administration office and is available for employee review during normal working hours or online at [www.tasb.org/policy/pol/private/249902](http://www.tasb.org/policy/pol/private/249902). **Employment policies for contract employees and non-contract employees** Policies not covered by The Boyd ISD Employee Handbook may be found online at [www.tasb.org/policy/pol/private/249902](http://www.tasb.org/policy/pol/private/249902) or in the policy manual at the Superintendent’s office.

Policy Code	Policy Title
DAA	Employment Objectives: Equal Employment Opportunity
DAB	Employment Objectives: Objective Criteria for Personnel Decisions
DBA	Employment Requirements and Restrictions: Credentials and Records
DBB	Employment Requirements and Restrictions: Medical Examinations and Communicable Diseases
DBD	Employment Requirements and Restrictions: Conflict of Interest
DBE	Employment Requirements and Restrictions: Nepotism
DC	Employment Practices
DCA	Employment Practices: Probationary Contracts
DCB	Employment Practices: Term Contracts
DCD	Employment Practices: At-Will Employment
DCE	Employment Practices: Other Types of Contracts
DEA	Compensation and Benefits: Salaries, Wages, and Stipends
DEB	Compensation and Benefits: Fringe Benefits
DEC	Compensation and Benefits: Leave and Absences
DEE	Compensation and Benefits: Expense Reimbursement
DF	Termination of Contract
DFAA	Probationary Contracts: Suspension/Termination During Contract
DFAB	Probationary Contracts: Termination at End of Year
DFAC	Probationary Contracts: Return to Probationary Status
DFBA	Term Contracts: Suspension/Termination During Contract
DFBB	Term Contracts: Non-renewal
DFD	Termination of Contract: Hearings Before Hearing Examiner
DFE	Termination of Contract: Resignation
DFF	Termination of Contract: Reduction in Force
DG	Employee Rights and Privileges
DGA	Employee Rights and Privileges: Association and Participation
DGB	Employee Rights and Privileges: Personnel-Management Relations
DGBA	Personnel-Management Relations: Employee Complaints/Grievances
DH	Employee Standards of Conduct
DHB	Employee Standards of Conduct: Harassment
DHC	Employee Standards of Conduct: Sexual Harassment/Sexual Abuse
DHE	Employee Standards of Conduct: Searches and Drug/Alcohol Testing
DI	Employee Welfare
DK	Assignments and Schedules
DL	Work Load
DMA	Professional Development: Staff Development
DMD	Professional Development: Professional Meetings and Visitations
DN	Performance Appraisal
DNA	Performance Appraisal: Evaluation of Teachers
DNB	Performance Appraisal: Evaluation of Other Professional Employees
DP	Personnel Positions
DPB	Personnel Positions: Substitute, Temporary, and Part-Time Positions
FNG (Legal) & (Local)	Students Rights and Responsibilities: Student and Parent Complaints
GRA (Legal) & (Local)	Relations with Governmental Entities: Local Government Authorities

## **BISD STAFF AGREEMENT FOR ACCEPTABLE USE OF THE ELECTRONIC COMMUNICATIONS SYSTEM**

You are being given access to the District's electronic communications system. Through this system, you will be able to communicate with other schools, colleges, organizations, and people around the world through the internet and other electronic information systems/networks. You will have access to hundreds of databases, libraries, and computer services all over the world. With this educational opportunity comes responsibility. It is important that you read the District policy, administrative regulations, and agreement form and ask questions if you need help in understanding them. Inappropriate system use will result in the loss of the privilege to use this educational and administrative tool. Please note that the Internet is a network of many types of communication and information networks. It is possible that you may run across areas of adult content and some material you might find objectionable. While the District will take reasonable steps to restrict access to such material, it is not possible to absolutely prevent such access. It will be your responsibility to follow the rules for appropriate use.

### **RULES FOR APPROPRIATE USE**

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

### **INAPPROPRIATE USES**

- Using the system for any illegal purpose.
- Borrowing someone's account without permission.
- Posting personal information about yourself or others (EX: addresses or phone numbers)
- Downloading or using copyrighted information without permission from the copyright holder.
- Posting messages or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
- Wasting school resources through the improper use of the computer system.
- Gaining unauthorized access to restricted information or resources.

### **CONSEQUENCES FOR INAPPROPRIATE USE**

Suspension of access to the system;

Revocation of access to the system;

Other disciplinary or legal action in accordance with District policies and applicable laws. I understand that my computer use is not private and that the District will monitor my activity on the computer system.

I have read the District's electronic communications system policy and administrative regulations in the Boyd ISD Personnel Handbook and agree to abide by their provisions. In consideration for the privilege of using the District's electronic communications system, and in consideration for having access to the public networks, I hereby release the District, its operators, and may institutions with which they are affiliated from any and all claims and damages of any nature arising from the use of, or inability to use, the system, including, without limitation, the type of damages identified in the District's policy and administrative regulations.

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Printed Name    Signature    Date

## **DISTRICT INFORMATION**

### **Mission statement**

#### *Policy AE*

Boyd Independent School District is committed to providing a quality education to meet the varied needs of a diverse student body. Every learner will have the opportunity to be challenged, successful and prepared for a future as a responsible and productive citizen. The district believes that quality education will provide students the opportunity:

- To develop the ability to think logically, independently and creatively;
- To communicate effectively;
- To master the basic skills and knowledge necessary for managing the dual roles of family member and wage earner;
- To develop appreciation for other people;
- To master the basic skills and knowledge necessary for gaining entry level employment in a high-skill, high-wage job or continuing education at the post secondary level; and
- To build responsibility to local, state, national and world communities.

### **District goals and objectives**

#### *Policies AF, EA*

*(Printed below is an overview; complete goal and objectives are available from central administration upon request.)*

- Goal 1: It is the goal of the Boyd Independent School District to provide numerous educational opportunities and experiences which will enable each student to move from minimum academic mastery to more complex and sophisticated levels of learning.
- Goal 2: All students will have substantially equal access across the curriculum to technology in order to enhance student learning.
- Goal 3: All staff members will become active users of technology to enhance instruction and increase productivity.
- Goal 4: Site-based Decision Making will be utilized to enhance student performance, improve instructional programming, increase community and staff involvement and provide opportunities for school restructuring.
- Goal 5: Qualified and highly effective personnel will be recruited, developed, and retained.
- Goal 6: It is the goal of Boyd Independent School District to provide an age appropriate, developmentally based drug and alcohol education and abuse prevention program for all students in grades Kindergarten through grade twelve.

## Board of Trustees

*Policies BA, BAA, BBA, BBB, BE, BEC, BED*

Texas law grants the board of trustees the power to govern and oversee the management of the district's schools. The board is the policy-making body within the district and has overall responsibility for the curriculum, school taxes, annual budget, employment of the superintendent and other professional staff, facilities, and expansions. The board has complete and final control over school matters within limits established by law and State Board of Education rules. The board of trustees are elected by the citizens of the district to ensure a strong educational program for the district's children. Trustees are elected the 1st Saturday each May and serve 3 year terms. Trustees serve without compensation, must be registered voters, and must reside in the district.

Board members:

- Pam Galloway - President
- Ernest Partin, Vice-President
- Linda Ware - Secretary
- Jana Tate, Board Member
- Minor Hopkins, Board Member
- Trae Luttrell, Board Member
- Kim Hudson, Board Member

Trustees usually meet the 2nd Monday of each month at 6:30 p.m. Board meetings are usually held at the Boyd Intermediate School Cafeteria, 650 Knox Avenue, Boyd, Texas. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the central administration building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice. All meetings are open to the public. Under the following circumstances, Texas law permits the board to go into a closed session: to discuss prospective gifts or donations, real property acquisition, personnel issues including conferences with employees and employee complaints, security matters, student discipline, or to consult with attorneys.

## Administration

Superintendent, John Emshoff  
Director of Operations/Student Services, Shawn Bryans  
Superintendent Secretary, Carol Hosea  
Business Manager, Judy Wilson  
Personnel/Payroll, Linda Ratliff  
Accounts Payable, Mary Herron  
Athletic Director, Joe Cartwright  
Food Service Director, Geraldine Jordan  
Technology Coordinator, Kayla Haynie  
High School Principal, Ted West  
High School Counselor (Grades 10-12), Rachel Strait  
High School Counselor (Grade 9), Anita Emshoff  
Middle School Principal, Anke Bracey  
Middle School Counselor, Anita Emshoff  
Intermediate School Principal, Nina Coody  
Intermediate School Counselor, Brenda Tilson  
Elementary School Principal, Barbara Stice  
Elementary School Counselor, Candice Reasoner

## School Calendar 2011-2012

August 15-19 Staff Development	January 2-Workday (Student Holiday)
August 22-First day of school	January 3 – Beginning of 2 <sup>nd</sup> Semester (4 <sup>th</sup> 6 weeks)
August 22 – Beginning of 1 <sup>st</sup> semester	February 17 – End of 4 <sup>th</sup> 6 weeks
September 5 - Holiday	February 20 – Beginning of 5 <sup>th</sup> 6 weeks
September 23 – End of 1 <sup>st</sup> 6 weeks	March 12-16 – Spring Break
September 26 – Beginning of 2 <sup>nd</sup> 6 weeks	April 6 – Bad Weather Day
September 29 – Early Release	April 9 – Bad Weather Day
October 10 – Holiday	April 13 – End of 5 <sup>th</sup> 6 weeks
October 28 – End of 2 <sup>nd</sup> 6 weeks	April 16 – Beginning of 6 <sup>th</sup> 6 weeks
October 31 – Beginning of 3 <sup>rd</sup> 6 weeks	May 28 - Holiday
November 21-22 – Staff Development (Student Holiday)	May 30-31 – Early Release
November 23-25 – Thanksgiving Holiday	May 31 – End of 6 <sup>th</sup> 6 weeks (Last day of school)
December 15-16 – Early Release	June 1 - Workday
December 16 – End of 3 <sup>rd</sup> 6 weeks	
December 19-30 - Winter Break	

## School Directory

District phone number (940)433-2327	(*dial extension to get location)
Central Administration (940)433-9500	Fax Number (940)433-9569
Boyd High School (940)433-9580	Fax Number (940)433-9593
Boyd Middle School (940)433-9560	Fax Number (940)433-9568
Boyd Intermediate School (940)433-9540	Fax Number (940)433-9548
Boyd Elementary School (940)433-9520	Fax Number (940)433-9536
Bus Barn (Petermann Transportation) (940)433-9514	

# EMPLOYMENT

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## **Equal employment opportunity**

### *Policy DAA*

The Boyd ISD 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 relating to discrimination on any of the bases listed above should contact John Emshoff, Superintendent.

## **Job vacancy announcements**

### *Policy DC*

To the extent possible, announcements of job vacancies by position and location are distributed on a regular basis and posted at the central administration building and on the district website. ([www.boydisd.net](http://www.boydisd.net))

## **Contract and noncontract employment**

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

State law requires the district to employ all full-time professional and administrative employees in positions requiring a certificate 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.** All full-time, professional and administrative employees employed in positions requiring certification and nurses who are new to the district receive probationary contracts during their first year of employment. 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 is one full school year. For those with less experience, the probationary period will be three full school years, with an optional fourth full school year if the district has doubts about whether a term contract should be given.

### **Term contracts.**

Full-time teachers, professionals, and administrators employed in positions requiring certification and nurses who have successfully completed the probationary period will be employed by a term contract. Campus principals and central office administrators may be employed under one year or multi year 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.

### **Non-certified professional and administrative employees.**

Employees in professional and administrative positions that do not require certification (such as noninstructional 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*

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

### **Employees required having a commercial driver's license.**

The purpose of alcohol and drug testing is to ensure safety and prevent accidents and injuries resulting from the misuse of alcohol and drugs by drivers of commercial motor vehicles. 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 that 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 Linda Ratliff, Personnel Director.

### **First Aid and CPR Certification & AED Certification**

#### *Policy DBA*

Nurses, physical education teachers, marching band directors, coaches, athletic trainers or sponsors of an extracurricular athletic activity (including cheerleading) that is sponsored or sanctioned by the district or University Interscholastic League (UIL) must maintain and submit to the district proof of current certification in first aid, cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED). Certification must be issued by the American Red Cross, the American Heart Association, 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 June 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*

### 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 and librarians are entitled to a duty-free lunch period of at least 30 minutes. The district may require teachers to supervise students one day a week when no other personnel are available.

### Paraprofessional and auxiliary employees.

Support employees are employed at will and will be notified of the required duty days, holidays, and hours of work for their position. 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. Unauthorized over time can and will be subject to disciplinary action.

### Workday

Professional and paraprofessional employees shall be on duty from 7:45 a.m. to 4:00 p.m. There will be no coming in late or leaving early. All increments of time not worked during scheduled time are subject to leave policy. If you have a conference period at the beginning of the day or end of the day you are expected to be here from 7:45 a.m. to 4:00 p.m. Alternate schedules may be assigned to accommodate staffing needs.

## Notification of Parents – Regarding Qualifications

*Policy DK, EHBD*

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive days to a teacher who does not hold an appropriate teaching certificate. Inappropriately certified or uncertified teachers include individuals serving with an emergency permit (including individuals waiting to take the ExCET exam) or individuals who do not hold any certificated or permit. No later than the 30th instructional day after the date of assignment the superintendent or designee will send a written notice to the parents. Information relating to teacher certification will be made available to the public upon request. In schools receiving Title I funds, the district is also required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. NCLB also requires that parents be notified if their child has been assigned, or taught for four or more consecutive weeks by a teacher who is not highly qualified. Employees who have questions about their certification status can call Linda Ratliff, Personnel Director.

## Outside employment and tutoring

*Local Regulation*

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

## 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 also can 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, BQB*

At both the campus and district levels, Boyd ISD offers opportunities for involvement in matters that affect employees. As part of the district's planning and 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**

Staff development activities are organized to meet the needs of employees and the district. Staff development is predominantly campus-based, related to achieving campus performance objectives, and developed and approved by district- and campus-level advisory committees. [See Continuing Professional Education].

## **Continuing Professional Education – All Professional Certified Personnel**

Continuing Professional Education requirements must be met for renewal of Standard Certificate for all professional certified personnel. It is the sole responsibility of the professional to keep accurate records of hours and to make sure the person or organization providing continuing professional education is a registered provider with SBEC. All CPE providers approved by SBEC are listed under the "Certificate Renewal Requirements" link on the SBEC website. If you have any questions concerning renewals, please contact SBEC.

# COMPENSATION AND BENEFITS

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## 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. 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 or supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule. Employees should contact Linda Ratliff, Personnel Director, for more information about the district's pay schedules or their own pay.

## Automatic payroll deposit

All employees are paid monthly and will be met on or by the 20th of each month. **Exception:** If the 20<sup>th</sup> falls on Saturday or Sunday, every effort will be made to pay on the Friday immediately preceding the 20th. The district utilizes automatic payroll deposit. Employee's paychecks are electronically deposited into their account. With automatic deposit, an employee's pay is immediately available on the pay date. A wage and earnings statement will be printed for each employee indicating detailed payroll information. Employees desiring to have wage statement information for June and July mailed to them may provide two stamped self-addressed envelopes prior to the end of the school year. Those not mailed will be available at the beginning of the new school year in August. All extra-duty pay will be included in the regular paycheck. Supplemental paychecks will not be issued.

## 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 must have their Social Security contributions deducted. Contact Linda Ratliff, Personnel Director for more information.

## Overtime compensation

### *Policy DEA*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor. Violation of this policy can result in disciplinary action. 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 compensatory time off. Employees must physically work more than 40 total hours in a week to earn overtime compensation. For the purpose of calculating overtime, a workweek begins at 12:00 a.m. Saturday and ends at 11:59 pm Friday. 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 it is earned

- Compensatory time earned must be used before all other leave and cannot create staffing shortages.
- Supervisor has the right to designate when compensatory time is taken.
- Weekly time records will be maintained on all non-exempt employees for the purpose of wage and salary administration.

### Travel Expense Reimbursement

#### *Policy DEE*

**Before** an employee incurs any travel expenses, the employee must submit an “Authorization for professional trip” (travel request) to their supervisor and the Business office for approval. Upon approval, Requisition/PO procedures must be followed. (See Purchasing procedures under General Procedures) For approved travel, employees will be reimbursed for mileage and other approved travel expenditures according to the current rate schedule established by the district and the Internal Revenue Service. Employee must submit original receipts to be reimbursed for all expenses other than mileage.

### Health, dental, and life insurance

Group health insurance coverage is provided through TRS-Active Care, the statewide public health insurance program. The district’s contribution to employee insurance premiums is determined annually by the board of trustees.

Employees eligible for health insurance coverage include the following:

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

TRS retirees and employees who are not contributing TRS members that are regularly scheduled to work less than 10 hours per week are not eligible to participate in TRS-Active Care. Descriptions of insurance coverage and prices are available from Linda Ratliff, Personnel Director. The insurance plan year is from September 1, through August 31. New hires must complete enrollment forms within 30 days of employment. Current employees may make changes during open enrollment with an effective date of September 1st or when a change in family status has occurred. If health care coverage is declined or not enrolled within the first 30 days of employment, pre-existing limitations will apply and enrollment will be postponed until the annual open enrollment unless prior creditable coverage can be shown. Employees should contact Linda Ratliff, Personnel Director, for more information.

### Supplemental insurance benefits

#### *Policy CRG*

At their own expense, employees may enroll in supplemental insurance programs. Premiums for these programs can be paid by payroll deduction. Financial Group of America, the districts third party administrator must be notified prior to submission of payroll deductions. Employees should contact Linda Ratliff, Personnel Director, for more information.

### Cafeteria plan benefits (Section 125)

Employees may be eligible to participate in the Cafeteria Plan (Section 125). Under IRS regulations, all employees must either accept or reject this benefit on an annual basis and during the specified time period. New employees must accept or reject this benefit within 30 days of employment. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e., health insurance, vision, legal plans, cancer and dread disease, dental and additional term life insurance under \$50,000). Riata Financial, the third-party administrator handles employee claims made on these accounts.

### 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. It is your responsibility to notify your supervisor and**

**Linda Ratliff, Personnel Director.** 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. Each spring, before the end of the school year, Letters of Reasonable Assurance will be sent to all substitutes and employees not under contract. Employees who do not return a signed letter of reasonable assurance will be considered as resigning. Employees with questions about unemployment benefits should contact Linda Ratliff, Personnel Director.

### **Teacher retirement**

#### *Policy DEG*

All personnel employed on a regular basis for at least one-half 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. The district is not responsible for reporting substitutes' days of service. This is solely the responsibility of the substitute. 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 Linda Ratliff, Personnel Director, as soon as possible. Information on the application procedures for TRS benefits 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)).

### **Other benefit programs**

#### *Policy DEB*

District employees shall be admitted free to home school sponsored athletic events. Children of a non-resident full-time employee may attend a district school tuition-free. Transfer applications must be submitted to the superintendent's office for approval each year by April 1. Contact Carol Hosea, Superintendent Secretary, for more information.

# LEAVES AND ABSENCES

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## *Policy DEC*

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who have personal needs that will require long leaves of absence should call Linda Ratliff, Personnel Director, 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. Checks must be made to the district for the entire premium amount prior to the 20th of the month. 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. Otherwise, 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 fitness to return to work. Available leave shall be used in the following order, as applicable:

1. 01 - Local personal leave. (3 days granted)
2. 07 - State sick leave **\*\***(accumulated **prior** to the **1995-96** school year)
3. 08 - State personal leave. (5 days granted)
4. 02 - Extended local sick leave. (5 days granted)
5. 05 - Sick leave bank. (granted based on membership and written request. See Sick leavebank for details)

Leave used shall be recorded in increments of one-half day. Employees shall be charged leave as used even if a substitute is not employed. Any leave taken for which leave balances are insufficient shall result in a deduction from the employee's

paycheck commensurate with the amount of leave taken. If an employee leaves the district before the end of the work year, the cost of any unearned leave days used will be deducted from the employee's final paycheck.

## **Attendance Incentive**

At the end of the school year, the District shall make an attendance incentive payment to employees for each 01-local personal leave day remaining. Professional and paraprofessional employees shall receive an amount equal to a substitute's daily rate of pay for the employee's position.

## **01 - Local personal leave**

Each school year the District shall grant professional and paraprofessional employees three days to be used for personal business reasons. Local personal days shall be non-cumulative and shall be taken with no loss of pay. Personal leave will be used under the same restrictions and conditions as discretionary leave.

## **07 - State sick leave**

Previously accumulated state sick leave (**granted prior to 1995-1996**) is available for use and may be transferred to other school districts in Texas. Sick leave can be used only in 1/2 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

## 08 - State personal leave (replaced 07- State sick leave in 1997)

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 each 18 workdays worked for 10 month employees. Employees working more than 187 days will be granted leave according to district guidelines. 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: non-discretionary and discretionary.

**Non-discretionary.** Leave that is taken for personal or family illness, emergency, or a death in the family is considered non-discretionary 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 request 3 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 and will be subject to the following limitations: Discretionary leave may not last more than 3 consecutive workdays, except with special approval for extenuating circumstances. Discretionary leave may not be taken on the following key days:

- before or after a scheduled holiday;
- or, end of six week or semester;
- or, during district testing (Example: TAKS testing).

## 02 - Extended local sick leave (Sub-deduct)

Professional and paraprofessional employees shall earn an additional five equivalent workdays of local sick leave per school year, concurrently with state sick leave. Local sick leave shall be non-cumulative and shall be taken with the daily rate of pay for a substitute (or proportionate amount established by the Board by personnel classification) deducted for each day used. Employees will be deducted even if a substitute is not employed. The principal and Superintendent shall approve use of this leave.

## 05 - Sick leave bank

The purpose of the Sick Leave Bank is to provide additional leave days to members of the Bank in the event of non-elective surgery, catastrophic illness, or a temporary disability because of an injury. Days may be requested by application from the Bank only after the member has exhausted all accumulated state and local sick leave and personal leave days and the five non-cumulative local sick leave days where only the cost of a substitute teacher is deducted from the staff member's salary (instead of the individual staff member's entire daily rate of pay). Sick leave days from the Bank are granted to a member after application is submitted to Personnel and approved by the elected committee. Members are eligible for approval only through non-pre-existing, unexpected catastrophic illness (including, but not limited to, illnesses as defined in the Boyd ISD health insurance policy), non-elective surgery, injury, or other temporary disability, is unable to engage in or perform the substantial and material duties of his/her position. Sick leave days from the Bank shall not apply to claims from intentionally self-inflicted bodily injury, suicide attempts, injury resulting from being intoxicated or under the influence of illegal drugs, or cosmetic surgery, except when performed to repair damage to the natural body caused by a covered illness or covered injury. Complete guidelines and information on joining the sick bank can be obtained by contacting Carol Hosea, Superintendent Secretary.

## Temporary disability

**Certified employees.** 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. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability. A full-time educator may voluntarily request to be placed on temporary disability leave or be placed on leave involuntarily. 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, supervisor or campus principal 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 have been employed by the district for at least 12 months, and have worked at least 1,250 hours during that time are eligible for family and medical leave. Eligible employees can take up to 12 weeks of unpaid leave each year. A year is defined as a rolling 12-month period measured backward from the date an employee uses family and medical leave. Family and medical leave can be used 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. Accumulated leave will be used as family and medical leave, except in the case of employees who are receiving workers' compensation wage benefits. 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:

- To allow an employee to care for a seriously ill spouse, child, or parent
- When an employee requires medical treatment for a serious illness
- When an employee is seriously ill and unable to work
- When 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 John Emshoff, 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 perform the essential job functions.

Employees requiring family and medical leave should contact Linda Ratliff, Personnel Director, 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 accumulated sick leave or any other paid leave benefits. An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or injury wage. If the use of paid leave is not elected, then the employee will only receive worker' compensation wage benefits for any absence resulting from a work-related illness or injury, which may not equal his or her pre-illness or injury wage.

### **Assault leave**

Assault leave provides extended job income and benefits protection to anyone who is injured as the result of a physical assault suffered during the performance of his or her job. An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave or counted against the employee's family and medical leave entitlement and must be coordinated with workers' compensation benefits.

### **Bereavement leave**

Use of state leave and/or local sick leave for death in the immediate family shall not exceed five workdays per occurrence, 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 with leave slip and may keep any compensation they receive.

### **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 supervisor or campus principal within 90 days of discharge or separation.

***Reemployment 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 supervisor or campus principal. Employees who perform service in the uniformed services may elect to continue their health plan coverage for a period not to exceed 18 months. Employees should contact central administration for details on eligibility, requirements, and limitations.

# EMPLOYEE RELATIONS AND COMMUNICATIONS

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## Employee recognition and appreciation

### *Policy DJ*

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.

## District communications

Throughout the school year, the central administration 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.

## COMPLAINTS AND GRIEVANCES

### *Policy DGBA*

This policy provides employees an orderly process for the prompt and equitable resolution of grievances when a concern has not been resolved. The Board intends that, whenever feasible, grievances be resolved at the lowest possible administrative level. This policy shall not be construed to create new or additional rights beyond those granted by Board policy or law.

Definitions for purposes of this policy, “days” shall mean calendar days. The terms “complaint” and “grievance” shall

1. Grievances concerning an employee’s wages, hours, or conditions of work.
2. Specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, or disability.
3. Specific allegations of unlawful discrimination or retaliation on the basis of the employee’s exercise of constitutional rights.
4. “Whistleblower” complaints.

Other Review Procedures and information regarding sexual harassment by other employees are found at Processes DHC and information regarding federal nondiscrimination is found at DAA. An employee’s dismissal or non-renewal may be the subject of a grievance under this policy only if the District does not otherwise provide for a review of the matter.

The following are governed by other review processes and are not subject to this policy:

1. Grievances regarding suspension of a contractual employee without pay: DF series.
2. Grievances regarding termination of an employment contract governed by Chapter 21 of the Education Code: DF series.
3. Grievances against a District peace officer: CKE
4. Grievances regarding instructional materials: EFA

Notice to The principal of each campus and other supervisory personnel shall ensure that Employees employees under their supervision are informed of this policy. Freedom from Neither the Board nor the administration shall unlawfully retaliate against any employee Retaliation for bringing a grievance under this policy. [See DG] “Whistleblower”

Employees who allege unlawful discrimination in retaliation for reporting a violation complaints of law to an appropriate authority shall initiate a grievance under this policy within 15 days after the date the alleged adverse employment action occurred or the employee first knew of the alleged adverse employment action. The complaint shall first be filed in accordance with LEVEL TWO, below. Time lines for employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 days of the initiation of the complaint. General A grievance must specify the individual harm alleged. An employee is prohibited from provisions bringing separate or serial grievances regarding the same event or action. All time limits shall be strictly complied with unless modified by mutual consent. Costs of any grievance shall be paid by the party incurring them. Consolidation When the Superintendent determines that two or more individual grievances are sufficiently similar in nature and remedy to permit their resolution through one proceeding, he or she may consolidate the grievances. Decisions Announcing a decision in the employee's presence constitutes communication of the decision. Initiating Unless otherwise specified in policy, an employee shall initiate a grievance as provided at Grievance LEVEL ONE, below.

**Level One** An employee who has a grievance shall request a conference with the principal or immediate supervisor by submitting the grievance in writing on a form provided by the District. The form must be filed within 15 days of the time the employee first knew or should have known of the event or series of events about which the employee is complaining. The principal or supervisor shall hold the conference within seven days after receipt of the written request. The principal or supervisor shall have seven days following the conference within which to respond.

**Level Two** If the outcome of the conference at Level One is not to the employee's satisfaction or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to discuss the grievance. The request shall be in writing on a form provided by the District and must be filed within seven days following receipt of a response or, if no response is received, within seven days of the response deadline.

**Level Three** If the outcome of Level Two is not to the employee's satisfaction or if the time for a response has expired, the employee may submit to the Superintendent or designee a request to place the matter on the agenda of a future Board meeting. The request shall be in writing on a form provided by the District and must be filed within seven days following receipt or a response or, if no response is received, within seven days of the response deadline. The Superintendent or designee shall inform the employee of the date, time, and place of the meeting. The Superintendent or designee shall provide the Board with copies of the employee's original grievance, all responses, and any written documentation previously submitted by the employee and the administration. The Board is not required to consider documentation not previously submitted or issues not previously presented. The presiding officer may set reasonable time limits. The Board shall hear the grievance and may request a response from the administration. The District shall may an audiotape record of the Level Three proceeding before the Board. The Board shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting.

**Closed** If the grievance involves the appointment, employment, evaluation, reassignment, duties, **Meeting** discipline, or dismissal of the employee bringing the grievance, it may be heard by the Board in closed meeting unless the employee bringing the grievance requests that it be heard in public.

**Exception** However, if the grievance involves a complaint or charge against another District employee or a Board member, it shall be heard in closed meeting unless an open meeting is requested in writing by the employee or Board member against whom the complaint or charge is brought.

# EMPLOYEE CONDUCT AND WELFARE

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## Standards of conduct

### *Policy DH*

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

- Recognize and respect the rights and property of students and coworkers and maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor 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

### Professional Responsibility.

The Texas educator should strive to create an atmosphere that will nurture to fulfillment the potential of each student. The educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community. In conscientiously conducting his or her affairs, the educator shall exemplify the highest standards of professional commitment.

### Principle I: Professional Ethical Conduct.

The Texas educator shall maintain the dignity of the profession by respecting and obeying the law, demonstrating personal integrity, and exemplifying honesty.

**Standard 1.** The educator shall not intentionally misrepresent official policies of the school district or educational institution and shall clearly distinguish those views from personal attitudes and opinions.

**Standard 2.** The educator shall honestly account for all funds committed to his or her charge and shall conduct financial business with integrity.

**Standard 3.** The educator shall not use institutional or professional privileges for personal or partisan advantage.

**Standard 4.** The educator shall accept no gratuities, gifts, or favors that impair professional judgment.

**Standard 5.** The educator shall not offer any favor, service, or thing of value to obtain special advantage.

**Standard 6.** The educator shall not falsify records, or direct or coerce others to do so.

### Principle II: Professional Practices and Performance.

The Texas educator, after qualifying in a manner established by law or regulation, shall assume responsibilities for professional administrative or teaching practices and professional performance and shall demonstrate competence.

**Standard 1.** The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications and shall adhere to the terms of a contract or appointment.

**Standard 2.** The educator shall not deliberately or recklessly impair his or her mental or physical health or ignore social prudence, thereby affecting his or her ability to perform the duties of his or her professional assignment.

**Standard 3.** The educator shall organize instruction that seeks to accomplish objectives related to learning.

**Standard 4.** The educator shall continue professional growth.

**Standard 5.** The educator shall comply with written local school board policies, state regulations, and applicable state and other federal laws.

### Principle III: Ethical Conduct toward Professional Colleagues.

The Texas educator, in exemplifying ethical relations with colleagues, shall accord just and equitable treatment to all members of the profession.

**Standard 1.** The educator shall not reveal confidential information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

**Standard 2.** The educator shall not willfully make false statements about a colleague or the school system.

**Standard 3.** The educator shall adhere to written local school board policies and state and federal laws regarding dismissal, evaluation, and employment processes.

**Standard 4.** The educator shall not interfere with a colleague's exercise of political and citizenship rights and responsibilities.

**Standard 5.** The educator shall not discriminate against, coerce, or harass a colleague on the basis of race, color, religion, national origin, age, sex, disability, or family status.

**Standard 6.** The educator shall not intentionally deny or impede a colleague in the exercise or enjoyment of any professional right or privilege.

**Standard 7.** The educator shall not use coercive means or promise special treatment in order to influence professional decisions or colleagues.

**Standard 8.** The educator shall have the academic freedom to teach as a professional privilege, and no educator shall interfere with such privilege except as required by state and/or federal laws.

### Principle IV: Ethical Conduct toward Students.

The Texas educator, in accepting a position of public trust, should measure success by progress of each student toward realization of his or her potential as an effective citizen.

**Standard 1.** The educator shall deal considerately and justly with each student and shall seek to resolve problems including discipline according to law and school board policy.

**Standard 2.** The educator shall not intentionally expose the student to disparagement.

**Standard 3.** The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

**Standard 4.** The educator shall make reasonable effort to protect the student from conditions detrimental to learning, physical health, mental health, or safety.

**Standard 5.** The educator shall not deliberately distort facts.

**Standard 6.** The educator shall not unfairly 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 7.** The educator shall not unreasonably restrain the student from independent action in the pursuit of learning or deny the student access to varying points of view.

### Principle V: Ethical Conduct toward Parents and Community.

The Texas educator, in fulfilling citizenship responsibilities in the community, should cooperate with parents and others to improve the public schools of the community.

**Standard 1.** The educator shall make reasonable effort to communicate to parent's information that lawfully should be revealed in the interest of the student.

**Standard 2.** The educator shall endeavor to understand community cultures and relate the home environment of students to the school.

**Standard 3.** The educator shall manifest a positive role in school-public relations.

## Dress and Grooming

### *Policies DH (L)*

1. Teachers and staff are expected to dress professionally when at work. Board Policy DH Local: The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent.
2. Tattoos must be covered and body piercing is limited to the ears.
3. Blue denim jeans are not to be worn on other days unless previously designated.
4. If you're in doubt of whether or not an outfit is appropriate ... it's probably not. As educators, it is better to dress a little too conservative than too risqué. Whether we like it or not, we're constantly in the eye of the public, representing Boyd ISD. And if that's not enough reason, research supports that student behavior improves when teachers dress as professionals.

## Sexual harassment

### *Policies DHC, FNCJ, FFG*

**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 sexually harassed by another employee are encouraged to come forward with complaints. The district will promptly investigate all allegations of sexual harassment and will take prompt 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:

**Employee-to-** *Employees shall not engage in conduct constituting sexual harassment of other employees. [See DHC (EXHIBIT)]*

*Employees who believe they have been sexually harassed by other employees are encouraged to come forward with complaints. District officials or their agents shall investigate promptly all allegations of sexual harassment of employees by other employees, and officials shall take prompt and appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment of employees.*

**Complaint** *For the purpose of the following complaint process, "days" mean calendar **procedure** days.*

*An employee who believes he or she has been or is being subjected to any form of sexual harassment shall bring the matter to the attention of the principal, immediate supervisor, or Title IX coordinator for employees. No procedure or step in this policy shall have the effect of requiring the employee alleging harassment to present the matter to a person who is the subject of the complaint.*

**Level One** *The employee shall request a conference with the principal or immediate supervisor by submitting the complaint in writing or by requesting a conference. If the complaint is made orally, the supervisor receiving the complaint shall reduce it to writing. The principal or supervisor shall hold the conference as soon as possible, but in any*

*event within seven days after receipt of the complaint. The principal or supervisor shall ordinarily have seven days following the conference within which to investigate and respond. The employee shall be informed if extenuating circumstances delay the investigation.*

**Level Two** *If the outcome of the conference at Level One is not to the employee's satisfaction, the employee may request a conference with the Superintendent or designee to discuss the complaint. The request should be in writing and shall be filed within seven days following receipt of a written response or, if no written response is received, within seven*

*days of the response deadline. The Superintendent or designee shall hold the conference as soon as possible but in any event within seven days after receipt of the written request. The Superintendent or designee shall have seven days following the conference within which to respond.*

**Level Three** *If the outcome at Level Two is not to the employee's satisfaction or if the time for a response has expired, the employee may present the complaint to the Board. The Superintendent shall place the matter on the agenda for the next regular Board meeting.*

*[See BE (Local)].*

*The Superintendent or designee shall provide the Board with copies of the employee's original complaint, all responses, and any written documentation previously submitted by the employee and the administration.*

*The Level Three proceeding before the Board shall be recorded by audiotape. The presiding officer shall allow a reasonable time for presentation of the complaint. The Board shall consider the grievance and shall request a response from the administration.*

**Closed meeting** *The Board may hear the allegation of sexual harassment in a closed meeting, if posted in accordance with law, unless an open hearing is requested in writing by the employee or Board member against whom the complaint or charge is brought.*

**Employee-to-** *Employees shall not engage in conduct constituting sexual harassment or sexual abuse **student** of students. Sexual harassment includes any welcome or unwelcome sexual advances, requests for sexual favors, and other verbal (oral or written) physical or visual conduct of a sexual nature. [See DHC (Legal)] Romantic relationships between District employees and students constitute unprofessional conduct and are prohibited.*

**Reporting/** *Information about sexual harassment or sexual abuse of a student that may reasonably **Investigation** be characterized as known or suspected child abuse or neglect shall be reported to appropriate authorities, as required by law. [See FFG (Legal)] Employees who have reason to believe that a student is being sexually harassed or sexually abused by a school employee shall report their suspicion to their principal, immediate supervisor or Title IX coordinator. All allegations of sexual harassment or sexual abuse of students by employees shall be reported to parents and investigated. In considering and investigating allegations that an employee has sexually harassed or sexually abused a student [see DHC Legal], the investigation shall proceed from the presumption that the employee's conduct was unwelcome. [See also FNCJ (Local)], which contains the complaint procedure for students alleging sexual harassment or sexual abuse by an employee.]*

#### **Employee-to-student.**

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 the 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 also will 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 John Emshoff, Superintendent.

## Drug-abuse prevention

### *Policies DH, DI*

Boyd 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:

#### **DH LOCAL**

Employees shall be courteous to one another and the public, working together in a cooperative spirit to serve the best interests of the District. All district employees shall be expected to adhere to the standards of conduct set out in the "Code of Ethics and Standard Practices for Texas Educators." [SEE DH (EXHIBIT)] Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [SEE DGBA] Safety All employees shall adhere to District safety rules and regulations and shall Requirements report unsafe conditions or practices to the appropriate supervisor. Tobacco Use Employees shall not use tobacco products on District premises, in District vehicles, nor in the presence of students or a school or school-related activities. [See DH and GKA] Alcohol and A copy of this policy, the purpose of which is to eliminate drug abuse from the Drugs workplace shall be provided each employee at the beginning of each year or upon employment. Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours: 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. Alcohol or any alcoholic beverage. Any abusable glue, aerosol paint, or any other chemical substance for inhalation. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs. An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

**Exception** An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employee's use shall not be considered to have violated this policy. **Notice** Each employee shall be given a copy of the District's notice regarding drug-free schools. [See DI (EXHIBIT)] Dress and The dress and grooming of the District employees shall be clean, neat, Grooming in a manner appropriate for their assignments and in accordance with any additional standards established by their supervisors and approved by the Superintendent. Violations Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, guidelines that impose duties, requirements, or standards attendant to their status as District employees. Violations of any policies, regulations, and guidelines may result in disciplinary action, including termination of employment. [See DCD and DF series]

#### **DI EXHIBIT**

**DRUG-FREE SCHOOLS REQUIREMENTS** The District prohibits the unlawful distribution, possession, or use of illegal drugs, inhalants, and alcohol on school premises or as part of any of the District's activities. Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution. [See policies at DH and DHE] 41 U.S.C. 702(a) (1) (A); 28 TAC 169.2 Compliance with these requirements and prohibitions is mandatory and is a condition of employment. (This notice complies with notice requirements imposed by the Federal Drug-Free Schools and Communities Act Amendments of 1989 [20 U.S.C. 3224a and 34 CFR 86.201])

## Reporting suspected child abuse

### *Policy DG, DH, FFG, GRA*

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services, or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. Reports to Child Protective Services can be made to

940-627-2188 or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or relay on another person to make the report. Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect. An employee's failure to report suspected child abuse may result in prosecution for the commission of a Class B misdemeanor. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the Code of Ethics and Standard Practices for Texas Educators. 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 abusive investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

## **Fraud and financial impropriety**

*Policy DG, CAA*

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

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

## **Conflict of Interest**

*Policy BBFA, DBD*

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

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

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

## **Gifts and Favors**

*Policy DBD*

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks 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.

## **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.

## **Employee Arrests and Convictions**

### *Policy DH*

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

- Crimes involving school property or funds
- Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator
- Crimes that occur wholly or in part of school property or at a school-sponsored activity
- Crimes involving moral turpitude Moral turpitude includes, but is not limited to, the following:
  - Dishonesty
  - Fraud
  - Deceit
  - Theft
  - Misrepresentation
  - Deliberate violence
  - Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor
  - Drug or alcohol related offenses
  - Acts constituting abuse under the Texas Family Code

## **Safety**

### *Policy CK*

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

- Observe all safety rules
- Keep work areas clean and orderly at all times
- Immediately report all accidents to their supervisor
- Operate only equipment or machines for which they have training and authorization Employees with questions or concerns relating to safety programs and issues can contact campus principals, supervisor.

## **Tobacco use**

### *Policies DH, GKA, FNCD*

Smoking or using tobacco products is prohibited on all district-owned property and at school-related or school-sanctioned activities, on or off campus. This includes all buildings, playground areas, parking facilities, and facilities

used for athletics and other activities. Drivers of district-owned vehicles are prohibited from smoking while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

## **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 campus principal, supervisors or call central administration 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 system, including its network access to the Internet, is to be used for administrative and instructional purposes only. 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.

## **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 maintenance director's office and is available for inspection during normal business hours.

## **Pest control treatment**

*Policy DI*

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator. Any application of pesticides or herbicide must be done in a manner prescribed by law and the district's integrated pest management program. Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Pest control information sheets are available from Craig Owen, maintenance director, upon request.

# GENERAL PROCEDURES

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## Telephone calls

Employees are discouraged from using school phones for personal calls. Any long distance call billed to the school must pertain to Boyd ISD business. Long distance codes have been implemented and will be necessary to make long distant calls. Any long distance call made by employees not concerning school business **MUST BE COLLECT OR HAVE CHARGES BILLED TO A CREDIT CARD LOCAL AND LONG DISTANCE CALLS (calls requiring a 1 before the area code) MUST BE MADE FROM THE LOCAL LINE (#9). IF YOU ARE NOT COMPLETELY CLEAR ON THIS PROCEDURE, PLEASE ASK ONE OF THE SECRETARIES FOR CLARIFICATION ON WHAT LINE TO USE. DIRECTORY ASSISTANCE CALLS ARE STRICKLY PROHIBITED. USE OF PHONE BOOKS AND INTERNET ARE ENCOURAGED.**

## Campus security

At the end of the day when you leave a room, building or gymnasium, make sure you turn off the lights and lock the door. Even if you are sure a custodian or another employee will be in soon. **YOU LOCK IT.** No student is to have access to any room, building, or gymnasium unless accompanied by an employee. **DO NOT LEND KEYS TO STUDENTS!**

Employees are responsible for returning their building/room keys at the end of the school year. Please report **immediately** all lost or stolen keys to your campus/department supervisor. The campus/department supervisor will then make a report to the Maintenance Director. **A \$30.00 replacement fee will be charged for re-issue.**

## Out of State Overnight student trips

Any group (FFA, FHA, Annual Staff, BPA, Band, NHS, Athletic Teams, etc.) planning an overnight trip out of state must be Board approved and self-funded prior to the trip. Be sure that you plan well in advance. Request must be made through the Superintendent prior to the board meeting for placement on the agenda; otherwise the board can not hear your request. Please bring information to the Board meeting about funding, sponsors, travel, etc. The Board meets the second Monday of each month, so plan accordingly.

## Open flames

No open flames (including candles) are allowed in any school building, except in science labs and vocational classes. **NO EXCEPTIONS!** Please use strict supervision in science labs and vocational classes.

## Maintenance requests

All requests for repair or maintenance must be made on an official maintenance request form. All forms are to be approved by building principal and then sent to Craig Owen, Maintenance Director. Do not send notes to maintenance.

## Bad weather closing

### *Policy CKC*

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

**NBC 5- CHANNEL 5 TV**  
**WBAP – 820 AM RADIO**

## 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.

## Name and address changes

It is important that employment records be kept up to date. Employees must notify Linda Ratliff, Personnel Director, and complete a Payroll Change form if there are any changes or corrections to their name, home address, home telephone number, marital status, emergency contact, or beneficiary. Changes must also be made directly to Teachers Retirement System on Form 358 (available through Linda Ratliff.)

## Personnel records

### *Policy GBA*

Most district records, including personnel records, are public information and must be released upon request. A limited amount of personal information may be withheld. Employees may choose not to allow public access to or have the following information included in a staff directory by submitting a written request to Linda Ratliff, Personnel Director:

Address

Phone number

Social Security number

Information that reveals whether they have family members

## Building use

### *Policy GKD*

Ted West, High School Principal, is responsible for scheduling the use of facilities after school hours. Contact Carol Hosea, Superintendent Secretary, to request an application for use of school facilities and to obtain information on the fees charged.

## Purchasing Procedures

### Requisition and Purchasing orders

All requests for purchases must be submitted through the campus principal. **No purchases, charges, or commitments to buy any goods or service for the district can be made without a Purchase Order from central administration. The district will not reimburse employees or assume responsibility for purchases made without a purchase order. State sales tax will not be reimbursed** – certificate of sales tax exemption is available through Mary Herron, Finance coordinator.

Please use the following procedures: *(please refer to purchasing procedures guidelines for detailed information).*

- Complete requisition (obtain approval signatures) and enter on TeXIS
- **Use approved vendors**
- Receive Purchase Order from central office (this is your approval to make purchase)
- Make purchase (*note: all school purchases are tax exempt*)
- Receive purchase, verify ALL items are received.
- Sign and return colored copy of purchase order with original receipts to central office.

### Student Activity purchases

All requests must be submitted on a check request form through campus principal. Sales tax will not be reimbursed for any reason. Sales tax exemption forms may be obtained through Mary Herron, Finance Coordinator. Please refer to the

student activity guidelines for detailed information. Please contact Darlynn Jennings or Judy Wilson, Business Manager, for more information.

### **Transportation Request**

Transportation requests must be submitted in advance for all school transportation requests. Please follow requisition and purchase order procedures. For more information, please contact Judy Wilson, Business Manager.

# TERMINATION OF EMPLOYMENT

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## 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. The superintendent will notify the Texas Commissioner of Education when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in the Reports to the State Board of Educator Certification. (See *Reports to the commissioner*)

### Noncontract employees.

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

## Dismissal or non-renewal of contract employees

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

Employees on probationary and term contracts can be dismissed during the school year or nonrenewed 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 time lines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Information on the time lines and procedures can be found in the DF policies that are provided to employees or in the policy manuals located in each campus office or Superintendent's office.

## 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*, pages 26-29.)

## Exit interviews and procedures

*Policy DC*

Exit interviews will be scheduled for all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at this time. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on his or her employment experience. All district keys, books, property, and equipment must be returned upon separation from employment. The district may withhold the cost of any unreturned items from the final paycheck.

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

The dismissal or resignation of a certified employee will be reported to the Texas commissioner of education 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

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## Equal educational opportunities

### *Policy FB*

The Boyd Independent 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 any of the bases listed above should be directed to John Emshoff, Superintendent.

## Student records

### *Policy FL*

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

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

- Parents of a minor or of a student who is a dependent for tax purposes
- The student (if 18 or older)
- School officials with legitimate education interests

Materials that are not considered educational records and do not have to be made available to a parent or student include teachers' personal notes on a student that are shared only with a substitute teacher. 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 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.

## Dietary supplements

### *Policy DH, FFAC*

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

## Psychotropic drugs

### *Policy FFAC*

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

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

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

## Student discipline

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

District policies concerning student discipline may be found in The Boyd ISD Student/Parent Handbook, online at [www.tasb.org/policy/pol/private/249902](http://www.tasb.org/policy/pol/private/249902), or in the policy manual at the Superintendent's office. Students are expected to follow the campus rules, classroom rules, and rules listed in the Student Code of Conduct and Student/Parent 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. The principal or administrator will send a copy of this report to the student's parents within 24 hours.

## Student attendance

### *Policy FDD*

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

## Hazing

### *Policy FNCC, FO*

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

# APPENDIX

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## PEIMS

The District shall participate in the Public Education Information Management System (PEIMS) and through that system shall provide information required for the administration of the Foundation School Program and of other appropriate provisions of the Education Code. The PEIMS data standards, established by the Commissioner of Education, shall be used by the District to submit information.

*Education Code 42.006; 19 TAC 61.1025*

## CHILDREN'S INTERNET PROTECTION ACT

Under the Children's Internet Protection Act (CIPA), the District must, as a prerequisite to receiving universal service discount rates, implement certain Internet safety measures and submit certification to the Federal Communications Commission (FCC). *47 U.S.C. 254* [See UNIVERSAL SERVICE DISCOUNTS, below, for details]

Districts that do not receive universal service discounts but do receive funding under the Technology for Education Act of 1994 (Title III of the Elementary and Secondary Education Act [ESEA]) must, as a prerequisite to receiving these funds, implement certain Internet safety measures and submit certification to the Department of Education (DOE). *20 U.S.C. 7001* [See ESEA FUNDING, below, for details]

DEFINITIONS "Harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

*47 U.S.C. 254(h)(7)(G), 20 U.S.C. 7001(a)(5)(F)*

"Technology protection measure" means a specific technology that blocks or filters Internet access. *47 U.S.C. 254(h)(7)*

"Universal service" means telecommunications services including Internet access, Internet services, and internal connection services and other services that are identified by the FCC as eligible for federal universal service support mechanisms.

*47 U.S.C. 254(c)(3), (h)(5)(A)(ii)*

## UNIVERSAL SERVICE DISCOUNTS

An elementary or secondary school having computers with Internet access may not receive universal service discount rates unless the District implements an Internet safety policy, submits certifications to the FCC, and ensures the use of computers with Internet access in accordance with the certifications. *47 U.S.C. 254(h)(5)(A), (l); 47 CFR 54.520*

## INTERNET SAFETY POLICY

The District shall adopt and implement an Internet safety policy that addresses:

1. Access by minors to inappropriate matter on the Internet and the World Wide Web;
2. The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
3. Unauthorized access, including "hacking," and other unlawful activities by minors on-line;
4. Unauthorized disclosure, use, and dissemination of personal identification information regarding minors; and
5. Measures designed to restrict minors' access to materials harmful to minors.

*47 U.S.C. 254(l)*

## PUBLIC HEARING

The District shall provide reasonable public notice and hold at least one public hearing or meeting to address the proposed Internet safety policy. *47 U.S.C.*

*254(h)(5)(A), (l)(1)*

## 'INAPPROPRIATE FOR MINORS'

A determination regarding what matter is inappropriate for minors shall be made by the Board or designee. *47 U.S.C.*

*254(l)(2)*

## TECHNOLOGY PROTECTION MEASURE

In accordance with the appropriate certification, the District shall operate a technology protection measure that protects minors against access to visual depictions that are obscene, child pornography, or harmful to minors; and protects adults against access to visual depictions that are obscene or child pornography. *47*

*U.S.C. 254(h)(5)(B), (C)*

## MONITORED USE

In accordance with the appropriate certification, the District shall monitor the on-line activities of minors. *47 U.S.C.*

*254(h)(5)(B)*

## CERTIFICATIONS TO THE FCC

To be eligible for universal service discount rates, the District shall certify to the FCC, in the manner prescribed at *47 CFR 54.520*, that:

1. An Internet safety policy has been adopted and implemented.
2. With respect to use by minors, the District is enforcing the Internet safety policy and operating a technology protection measure during any use of the computers.
3. With respect to use by adults, the District is enforcing an Internet safety policy and operating a technology protection measure during any use of the computers, except that an administrator, supervisor, or other person authorized by the District may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

*47 U.S.C. 254(h)(5); 47 CFR 54.520*

**ESEA FUNDING** Federal funds made available under the Technology for Education Act of 1994 (Title III of the Elementary and Secondary Education Act [ESEA]) for an elementary or secondary school that does not receive universal service discount rates may not be used to purchase computers used to access the Internet, or to pay for direct costs associated with accessing the Internet unless the District:

**MINORS** 1. Has in place a policy of Internet safety for minors that includes the operation of a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and enforces the operation of the technology protection measure during any use by minors of its computers with Internet access; and

**ADULTS** 2. Has in place a policy of Internet safety that includes the operation of a technology protection measure that protects against access to visual depictions that are obscene or child pornography; and enforces the operation of the technology protection measure during any use of its computers with Internet access. The District may disable the technology protection measure to enable access to bona fide research or for another lawful purpose.

## CERTIFICATION TO DOE

The District shall certify its compliance with these requirements to the Department of Education as part of the annual application process for each program funding year under the ESEA. *20 U.S.C. 7001(a)*

## TRANSFER OF EQUIPMENT TO STUDENTS

The District may transfer to a student enrolled in the District:

1. Any data processing equipment donated to the District, including equipment donated by a private donor, a state eleemosynary institution, or a state agency under Government Code 2175.126;
2. Any equipment purchased by the District; and
3. Any surplus or salvage equipment owned by the District.

*Education Code 32.102(a)*

Before transferring data processing equipment to a student, the District must:

1. Adopt rules governing transfers, including provisions for technical assistance to the student by the District;
2. Determine that the transfer serves a public purpose and benefits the District; and
3. Remove from the equipment any offensive, confidential, or proprietary information, as determined by the District.

*Education Code 32.104*

## DONATIONS

The District may accept:

1. Donations of data processing equipment for transfer to students; and
2. Gifts, grants, or donations of money or services to purchase, refurbish, or repair data processing equipment.

*Education Code 32.102(b)*

## USE OF PUBLIC FUNDS

The District may spend public funds to:

1. Purchase, refurbish, or repair any data processing equipment transferred to a student; and
2. Store, transport, or transfer data processing equipment under this policy.

*Education Code 32.105*

## ELIGIBILITY

A student is eligible to receive data processing equipment under this policy only if the student does not otherwise have home access to data processing equipment, as determined by the District. The District shall give preference to educationally disadvantaged students. *Education Code 32.103*

## RETURN OF EQUIPMENT

Except as provided below, a student who receives data processing equipment from the District under this policy shall return the equipment to the District not later than the earliest of:

1. Five years after the date the student receives the equipment;
2. The date the student graduates;
3. The date the student transfers to another district; or
4. The date the student withdraws from school.

If, at the time the student is required to return the equipment, the District determines that the equipment has no marketable value, the student is not required to return the equipment.

*Education Code 32.106*

## UNIFORM ELECTRONIC TRANSACTIONS ACT

The District may agree with other parties to conduct transactions by electronic means. Any such agreement or transaction must be done in accordance with the Uniform Electronic Transactions Act. *Business and Commerce Code 43.*

## ELECTRONIC COMMUNICATION AND DATA MANAGEMENT

### CQ (LOCAL)

The Superintendent or designee shall implement, monitor, and evaluate electronic media resources for instructional and administrative purposes.

## AVAILABILITY OF ACCESS

Access to the District's electronic communications system, including the Internet, shall be made available to students and employees exclusively for instructional and administrative purposes and in accordance with administrative regulations. No personal use of the system shall be permitted.

#### USE BY MEMBERS OF THE PUBLIC

Access to the District's electronic communications system, including the Internet, shall be made available to members of the public, in accordance with administrative regulations. Such use shall be permitted so long as the use:

1. Imposes no tangible cost on the District; and
2. Does not unduly burden the District's computer or network resources.

#### ACCEPTABLE USE

The Superintendent or designee shall develop and implement administrative regulations, guidelines, and user agreements consistent with the purposes and mission of the District and with law and policy. Access to the District's electronic communications system is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the system and shall agree in writing to allow monitoring of their use and to comply with such regulations and guidelines.

Noncompliance may result in suspension of access or termination of privileges and other disciplinary action consistent with District policies. [See DH, FN series, FO series, and the Student Code of Conduct] Violations of law may result in criminal prosecution as well as disciplinary action by the District.

#### INTERNET SAFETY

The Superintendent or designee shall develop and implement an Internet safety plan to:

1. Control students' access to inappropriate materials, as well as to materials that are harmful to minors;
2. Ensure student safety and security when using electronic communications;
3. Prevent unauthorized access, including hacking and other unlawful activities; and
4. Restrict unauthorized disclosure, use, and dissemination of personally identifiable information regarding students.

#### FILTERING

Each District computer with Internet access shall have a filtering device or software that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the federal Children's Internet Protection Act and as determined by the Superintendent or designee. The Superintendent or designee shall enforce the use of such filtering devices. Upon approval from the Superintendent or designee, an administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose.

#### MONITORED USE

Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be considered private. Designated District staff shall be authorized to monitor such communication at any time to ensure appropriate use.

#### INTELLECTUAL PROPERTY RIGHTS

Students shall retain all rights to work they create using the District's electronic communications system. As agents of the District, employees shall have limited rights to work they create using the District's electronic communications system. The District shall retain the right to use any product created in the scope of a person's employment even when the author is no longer an employee of the District.

#### DISCLAIMER OF LIABILITY

The District shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions or other laws, users' mistakes or negligence, and costs incurred by users. The District shall not be responsible for ensuring the accuracy, age appropriateness, or usability of any information found on the Internet.