

# **CROSBY INDEPENDENT SCHOOL DISTRICT**



# **Employee Handbook**

**2020 – 2021**

The Crosby Independent School District does not discriminate against any employee or applicant on the basis of race, religion, color, gender, age, national origin or handicapping condition.

**AN EQUAL OPPORTUNITY EMPLOYER**

# Table of Contents

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<b>Employee Handbook Compliance</b> .....	<b>4</b>
<b>Introduction</b> .....	<b>5</b>
<b>District Information</b> .....	<b>6</b>
Mission Statement, Goals, and Objectives .....	6
Board of Trustees.....	7
Board Meeting Schedule for 2020 – 2021 .....	8
Administration .....	8
School Calendar.....	8
Helpful Contacts .....	8
District & School Directory.....	9
<b>Employment</b> .....	<b>9</b>
Equal Employment Opportunity.....	9
Job Vacancy Announcements.....	10
Employment After Retirement .....	10
Contract and Noncontract Employment .....	10
Certification and Licenses .....	11
Recertification of Employment Authorization .....	12
Searches and Alcohol and Drug Testing .....	12
Health Safety Training.....	13
Reassignments and Transfers .....	13
Workload and Work Schedules .....	14
Breaks for Expression of Breast Milk .....	14
Notification to Parents Regarding Qualifications.....	14
Outside Employment and Tutoring .....	15
Performance Evaluation .....	15
Employee Involvement.....	15
Staff Development.....	16
<b>Compensation and Benefits</b> .....	<b>16</b>
Salaries, Wages, and Stipends .....	16
Paychecks .....	17
2020-2021 PAY DATES .....	17
Automatic Payroll Deposit .....	18
Payroll Deductions .....	19
Overtime Compensation .....	19
Travel Expense Reimbursement (Out of District).....	20
Health, Dental, and Life Insurance .....	20
Supplemental Insurance Benefits .....	21
Cafeteria Plan Benefits (Section 125) .....	21
Workers’ Compensation Insurance .....	21
Unemployment Compensation Insurance.....	21

Teacher Retirement.....	22
<b>Leaves and Absences.....</b>	<b>23</b>
Use of Leave.....	23
State Sick Leave .....	25
Local Leave .....	25
Sick Leave Bank.....	25
Family and Medical Leave (FML)—General Provisions.....	26
Benefits and Protections .....	27
Eligibility Requirements.....	27
Requesting Leave .....	27
Employer Responsibilities.....	28
Local Family and Medical Leave Provisions .....	29
Temporary Disability Leave.....	30
Workers’ Compensation Benefits.....	31
Assault Leave .....	31
Bereavement Leave .....	32
Jury Duty .....	32
Compliance with a Subpoena .....	32
Truancy Court Appearances .....	32
Religious Observance .....	33
Military Leave .....	33
Employee Absences and Tardies.....	33
<b>Employee Relations and Communications .....</b>	<b>35</b>
Employee Recognition and Appreciation.....	35
District Communications.....	35
<b>Complaints and Grievances .....</b>	<b>35</b>
<b>Employee Conduct and Welfare .....</b>	<b>36</b>
Standards of Conduct.....	36
Discrimination, Harassment, and Retaliation .....	39
Fraternization Among Employees .....	40
Harassment of Students .....	40
Reporting Suspected Child Abuse.....	40
Sexual Abuse and Maltreatment of Children .....	41
Reporting Crime .....	42
Scope and Sequence .....	42
Technology Resources.....	42
Acceptable Use Policy.....	43
Personal Recording Devices.....	45
Personal Use of Electronic Communications .....	47
Public Information on Private Devices.....	51
Criminal History Background Checks.....	51
Employee Arrests and Convictions .....	51
Alcohol and Drug-Abuse Prevention .....	52
Tobacco Products and E-Cigarette Use.....	53

Fraud and Financial Impropriety .....	53
Conflict of Interest.....	54
Gifts and Favors.....	54
Copyrighted Materials .....	54
Charitable Contributions.....	54
Associations and Political Activities .....	55
Safety .....	55
Possession of Firearms and Weapons.....	56
Visitors in the Workplace .....	56
Asbestos Management Plan.....	56
Pest Control Treatment.....	56
<b>General Procedures.....</b>	<b>58</b>
Emergency School Closing .....	58
Emergencies.....	58
Purchasing Procedures.....	58
Name and Address Changes .....	59
Personnel Records .....	59
Facility Use.....	59
Employee Dress Code .....	60
<b>Termination of Employment.....</b>	<b>62</b>
Resignations.....	62
Dismissal or Nonrenewal of Contract Employees.....	62
Dismissal of Noncontract Employees.....	63
Discharge of Convicted Employees .....	63
Exit Interviews and Procedures .....	63
Reports to Texas Education Agency .....	64
Reports Concerning Court-Ordered Withholding .....	65
<b>Student Issues .....</b>	<b>66</b>
Equal Educational Opportunities.....	66
Student Records.....	66
Parent and Student Complaints.....	67
Administering Medication to Students .....	67
Dietary Supplements.....	67
Psychotropic Drugs.....	67
Student Conduct and Discipline .....	68
Student Attendance.....	68
Bullying .....	68
Hazing.....	72
<b>Index .....</b>	<b>72</b>

# **Employee Handbook Compliance**

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Crosby ISD employees are required to read the handbook and abide by the standards, policies, and procedures defined or referenced in the document.

Employees have unlimited access to the handbook in electronic format as the handbook is available at any time on the district website.

Employees may receive a printed copy of the employee handbook by submitting a written request to the Human Resources Department.

The information in this handbook is subject to change. Such revisions to district policies will supersede, modify, or render obsolete the information summarized in this document. Employees are responsible for reading and abiding by revisions made to the online and printed versions of the handbook.

No modifications to contractual relationships or alterations of at-will employment relationships are intended by this handbook.

Employees should contact their supervisor or the Human Resources department if they have questions, concerns or need further explanations regarding any information in the handbook.

# 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. Those that are, have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Crosby ISD Human Resources Department.

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of noncontract employees in any way. Rather, it is a guide to and a brief explanation of district policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the Board Policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. District policies can be accessed online at [www.crosbyisd.org](http://www.crosbyisd.org).

Campuses and departments are allowed to issue additional handbooks to explain specific rules, regulations, guidelines, and other information specific to the campus/department. Employees are expected to follow any specific campus/department guidelines.

Board Policies, if noted on a particular topic in the handbook, are located on the district website at this link: <https://pol.tasb.org/home/index/586>

# District Information

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## Mission Statement, Goals, and Objectives

### *Policy AE*

The mission of Crosby ISD is to produce literate, responsible citizens capable of learning and applying academic and social skills successfully in any life setting. The District is committed to preparing our students for the challenges they will face in the 21st century in a safe and nurturing environment.

### **PUBLIC EDUCATION MISSION, GOALS, AND OBJECTIVES**

The mission of the Texas public education system is to ensure that all Texas children have access to a quality education that enables them to achieve their full potential and fully participate now and in the future in the social, economic, and educational opportunities in our state and nation. That mission is grounded on the conviction that a general diffusion of knowledge is essential for the welfare of Texas and for the preservation of the liberties and rights of Texas citizens. It is further grounded on the conviction that a successful public education system is directly related to a strong, dedicated, and supportive family and that parental involvement in the school is essential for the maximum educational achievement of a child. The objectives of public education are:

OBJECTIVE 1: Parents will be full partners with educators in the education of their children.

OBJECTIVE 2: Students will be encouraged and challenged to meet their full educational potential.

OBJECTIVE 3: Through enhanced dropout prevention efforts, all students will remain in school until they obtain a diploma.

OBJECTIVE 4: A well-balanced and appropriate curriculum will be provided to all students.

OBJECTIVE 5: Educators will prepare students to be thoughtful, active citizens who have an appreciation for the basic values of our state and national heritage and who can understand and productively function in a free enterprise society.

OBJECTIVE 6: Qualified and highly effective personnel will be recruited, developed, and retained.

OBJECTIVE 7: Texas students will demonstrate exemplary performance in comparison to national and international standards.

OBJECTIVE 8: Campuses will maintain a safe and disciplined environment conducive to learning.

OBJECTIVE 9: Educators will keep abreast of the development of creative and innovative techniques in instruction and administration using those techniques as appropriate to improve student learning.

OBJECTIVE 10: Technology will be implemented and used to increase the effectiveness of student learning, instructional management, staff development, and administration.

The academic goals of public education are to serve as a foundation for a well-balanced and appropriate education. The students in the public education system will demonstrate exemplary performance in:

GOAL 1: The reading and writing of the English language.

GOAL 2: The understanding of mathematics.

GOAL 3: The understanding of science.

GOAL 4: The understanding of social studies.

*Education Code 4.001, 4.002*

## **Board of Trustees**

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

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

The board of trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. We have six single-member district Board members and one at-large Board member that serve 4-year terms. Board members serve without compensation, must be registered voters, and must reside in the district.

Current board members include:

- Randy Condra, President
- JR Humphries, Vice President
- Tanya Eagleton, Secretary
- KeaLynn Lewis, Assistant Secretary
- David Porter, Trustee
- John Swinney, Trustee
- Carla Mills Windfont, Trustee

The board usually meets the third Monday at 7:00 at the Operations Center. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district Web site and near the front entrance of the CISD 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 one-hour notice.

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

### **Board Meeting Schedule for 2020 – 2021**

July 20	November 16	March 29
August 17	December 14	April 19
September 21	January 19	May 17
October 19	February 15	June 21

### **Administration**

Superintendent	Dr. Scott Davis
Chief Operations Officer	TBD
Assistant Superintendent of Human Resources	Karen Grey
Assistant Superintendent of Student Services	Dr. Patricia Kay
Chief Financial Officer	Lesa Jones
Assistant Chief Financial Officer	TBD
Executive Director of Elementary Education	Sherri Long
Executive Director of Secondary Education	Todd Hicks
Director of Athletics	Jerry Prieto
Director of Child Nutrition	Teresa Evans
Director of Operations	Chuck Murray
Director of Special Education	Karla McGee
Director of Technology Services	Amy Davis
Assistant Director of Transportation	Renee Davis

### **School Calendar**

A copy of the school calendar is available at each school campus office and the school website.

### **Helpful Contacts**

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

## District & School Directory

Department	Phone	Campus	Phone
Administration	281-328-9200	Kindergarten Center	281-328-9370
Athletics	281-328-9237	Barrett Elementary	281-328-9320
Child Nutrition	281-328-9200	Charles R. Drew Elementary	281-328-9306
Curriculum/Instruction	281-328-9200	Crosby Elementary	281-328-9360
Financial Services	281-328-9200	Newport Elementary	281-328-9330
Human Resources	281-328-9200	Crosby Middle School	281-328-9264
Special Education	281-328-9200	Crosby High School	281-328-9237
Technology Services	281-328-9200		
Transportation	281-328-9247 or 9248		

## Employment

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### Equal Employment Opportunity

*Policies DAA, DIA*

In its efforts to promote nondiscrimination and as required by law, Crosby ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy sexual orientation, or gender identity), national origin, age, disability, military status, genetic information, or on any other basis prohibited by law. Additionally, the district does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

In accordance with Title IX, the district does not discriminate on the basis of sex and is required not to discriminate on the basis of sex in its educational programs or activities. The requirement not to discriminate extends to employment. Inquiries about the application of Title IX may be referred to the district's Title IX coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including sexual harassment: Dr. Patricia Kay, Assistant Superintendent of Student Services, 14670 FM 2100 Crosby, Texas 77532, pkay@crosbyisd.org, 281-328-9200. Reports can be made at any time and by any person, including during non-business hours, by mail, email, or phone. During district business hours, reports may also be made in person.

The district designates and authorizes the following employee as the ADA/Section 504 coordinator for employees for concerns regarding discrimination on the basis of a disability: Karen Grey, Assistant Superintendent of Human Resources, 14670 FM 2100 Crosby, Texas 77532, kgrey@crosbyisd.org, 281-328-9200.

Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

## **Job Vacancy Announcements**

### *Policy DC*

Announcements of job vacancies by position and location are posted on a regular basis to the district's Web site.

## **Employment After Retirement**

### *Policy DC*

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

## **Contract and Noncontract Employment**

### *Policy DC*

State law requires the district to employ all full-time professional employees in positions requiring a certificate from the State Board for Educator Certification (SBEC) and nurses under probationary, term, or continuing contracts. Employees in all other positions may be employed at-will and may not be 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 Crosby ISD.

**Probationary Contracts.** Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Former employees who are hired after a two-year lapse in district employment or employees who move to a position requiring a new class of certification may also be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the district may not exceed one school year.

For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the board determines it is doubtful whether a term contract should be given.

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

**Noncertified Professional and Administrative Employees.** Employees in professional and administrative positions that do not require SBEC certification; such as non-instructional administrators, employed by a Chapter 21 probationary or term contract.

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

## **Certification and Licenses**

*Policies DBA, DF*

Professional employees whose positions require SBEC certification or professional license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the Human Resources Office in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify Karen Grey, Assistant Superintendent of Human Resources when there is action against, or revocation of, their license.

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

## **Recertification of Employment Authorization**

*Policy DC*

At the time of hire, all employees must complete the Employment Eligibility Verification Form (Form I-9) and present documents to verify identity and employment authorization.

Employees whose immigration status, employment authorization, or employment authorization documents have expired must present new documents that show current employment authorization. Employees should file the necessary application or petition sufficiently in advance to ensure that they maintain continuous employment authorization or valid employment authorization documents. Contact Donna Fontenot in Human Resources if you have any questions regarding reverification of employment authorization.

## **Searches and Alcohol and Drug Testing**

*Policy CQ, DHE*

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, and work areas including district-owned technology resources, lockers, and private vehicles parked on district premises or work sites or used in district business. In addition, the District may search an employee's workplace for non-investigatory, work-related purposes, if there are reasonable grounds to believe that the search will turn up evidence that the employee is guilty of work-related misconduct.

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

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

Employees with questions or concerns relating to alcohol and drug testing policies should contact Karen Grey, Assistant Superintendent, in the Human Resources Office.

## **Health Safety Training**

*Policies DBA, DMA*

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement will be notified by their supervisor/designee and must submit their certification or documentation to their campus or department supervisor in a timely manner.

School nurses and employees with regular contact with students must complete a Texas Education Agency approved, online training regarding seizure disorder awareness, recognition, and related first aid.

## **Reassignments and Transfers**

*Policy DK*

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

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by March 1<sup>st</sup> of previous school year. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Human Resources Office and must be approved by the receiving supervisor.

## **Workload and Work Schedules**

*Policies DEAB, DK, DL*

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

**Teachers and contract staff do not have an hourly defined work day. Planning, preparation and/or meetings will be required outside of the school day.**

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

**Paraprofessional and Auxiliary Employees.** Support employees are employed at will and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. See Overtime Compensation on page 18 for additional information.

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

*Policies DEAB, DG*

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

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

## **Notification to Parents Regarding Qualifications**

*Policies DK, DBA*

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. ESSA also requires that parents

be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements.

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

## **Outside Employment and Tutoring**

*Policy DBD*

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

## **Performance Evaluation**

*Policy DN series*

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

## **Employee Involvement**

*Policies BQA, BQB*

At both the campus and district levels, Crosby ISD offers opportunities for input in matters that affect employees and influence the instructional effectiveness of the district. As part of the district's planning and decision-making process, employees are elected to serve on district- or campus-level advisory committees. Plans and detailed information about the shared decision-making process are available in each campus office. Please see the campus principal.

## **Staff Development**

*Policy DMA*

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is related to achieving campus performance objectives, addressed in the campus/district improvement plans and approved by a campus administration and Curriculum and Instruction. Staff development for noninstructional personnel is designed to meet specific licensing requirements and continued employee skill development.

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

## **Certifications and Trainings**

Employees who choose to seek professional advancement for certifications and/or trainings that are not otherwise required by the District will be financially responsible for the cost.

# **Compensation and Benefits**

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## **Salaries, Wages, and Stipends**

*Policies DEA, DEAA, DEAB*

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid salaries on a semi-monthly basis. They are not entitled to overtime compensation. Other employees are generally classified as non-exempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 19.)

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

Employees should contact the Human Resources Office for more information about the district's pay schedules or their own pay.

## Longevity Pay

Employees who have separated from the District in good standing and return within 90 days may have their longevity monies reinstated at the same rate of pay.

## Paychecks

All employees are paid semi-monthly. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization. See payroll schedule on page 17.

Employees are paid the 15<sup>th</sup> day and last working day of each month. If either of these days fall on a weekend, employees are paid the last workday prior to the last day of the month.

### 2020-2021 PAY DATES

July 15, 2020	Wednesday
July 31, 2020	Friday
August 14, 2020	Friday
August 31, 2020	Monday
September 15, 2020	Thursday
September 30, 2020	Wednesday
October 15, 2020	Thursday
October 30, 2020	Friday
November 13, 2020	Friday
* November 20, 2020	Friday
December 15, 2020	Tuesday
*December 18, 2020	Friday
January 15, 2021	Friday
January 29, 2021	Friday
-February 12, 2021	Friday
February 26, 2021	Friday

*March 12, 2021	Friday
March 31, 2021	Wednesday
April 15, 2021	Thursday
April 30, 2021	Friday
May 14, 2021	Friday
-May 28, 2021	Friday
June 15, 2021	Tuesday
June 30, 2021	Wednesday

**NOTES:**

- 1) Paper checks will be available on the listed pay dates.
- 2) Direct Deposit will post one business day prior to the listed pay dates except for those noted above ( \* -), as these pay dates are early due to school and/or bank holidays. On these occurrences, Direct Deposit will post on the listed pay date.
- 3) Checks will be mailed to the home address of employees who are off duty on a given pay day.
- 4) Each employee is responsible for any bank charges as a result of timeliness of direct deposit.
- 5) Each employee is responsible for maintaining accurate bank information for direct deposit.

- \* School Holiday
- Bank Holiday

**Automatic Payroll Deposit**

Employees can have their paychecks electronically deposited into a designated account. Contact the Payroll Department at extension 1232 for more information about the automatic payroll deposit service.

## **Payroll Deductions**

### *Policy CFEA*

The district is required to make the following automatic payroll deductions:

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all employees
- Medicare tax (applicable only to employees hired in this district after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

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

## **Overtime Compensation**

### *Policies DEAB, DEC*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. 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. A nonexempt employee who works overtime without prior approval will be subject to disciplinary action.

Overtime is legally defined as all hours actually worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. For the purpose of calculating overtime, a workweek begins at Sunday and ends at Saturday.

Nonexempt employees may be compensated on an hourly basis or on a daily basis. Employees who are paid on an hourly basis shall be compensated for all hours worked. Employees who are paid on a daily basis are paid for a 40-hour workweek and do not earn additional pay unless the employee works more than 40 hours. Nonexempt employees that are paid on a salary basis are paid for the hours set by the normal work schedule. Hours worked beyond the normal schedule up to 40 hours will be paid at a regular rate of pay.

Vacation or personal leave used in a work week does not count as part of the 40 hours that has to accumulate prior to reaching time and a half pay.

A nonexempt employee shall have the approval of his or her supervisor before working overtime. An employee who works overtime without prior approval is subject to discipline.

At the District's option, nonexempt employees may receive compensatory time off, rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay.

The following applies to all nonexempt employees:

- Employees can accumulate up to 40 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- An employee may be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration. All records will be maintained in Skyward.

## **Travel Expense Reimbursement (Out of District)**

*Policy DEE*

Before any travel expenses are incurred by an employee, the employee's supervisor and superintendent/designee must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the comptrollers office. Employees must submit receipts, to the extent possible, to be reimbursed for allowable expenses other than mileage.

## **Health, Dental, and Life Insurance**

*Policy CRD*

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

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are employed for 10 or more regularly scheduled hours per week

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year or when they experience a qualifying event (e.g. marriage, divorce, birth). Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact the Benefits Specialist, for more information.

## **Supplemental Insurance Benefits**

*Policy CRD*

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

## **Cafeteria Plan Benefits (Section 125)**

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

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

## **Workers' Compensation Insurance**

*Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has a self-funded workers' compensation plan.

Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the immediate supervisor. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code.

## **Unemployment Compensation Insurance**

*Policy CRF*

Employees that have been laid off or terminated through no fault of their own, may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have

employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Donna Fontenot, Human Resources Office.

## **Teacher Retirement**

### *Policy DEG*

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

Employees who plan to retire under TRS should notify Donna Fontenot, Human Resources Office, as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web ([www.trs.texas.gov](http://www.trs.texas.gov)).

# Leaves and Absences

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*Policies DEC, DECA, DECB*

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 expect to be absent for an extended period of more than five days should contact their principal/supervisor immediately and the Benefits Specialist, Rebeca Cruz, at the Human Resources Office for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

## Use of Leave

Paid leave must be recorded in half-day increments for all employees. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Employees must designate on the absence from duty form which leave is being used. If that leave option is not available, Skyward payroll software will automatically dock pay on the next pay day. It is each employee's responsibility to manage their own available leave to avoid a pay dock. A record of used and available leave can be accessed through Skyward Employee Access.

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification. All absences must be reported through the attendance sub caller program, Frontline Absence Management formerly (AESOP) Automated Educational Substitute OPERator.

An employee who is absent on an early release day for staff must put in a *full day* absence in Frontline Absence Management.

**Immediate Family.** For purposes of leave other than family and medical leave, immediate family is defined as the following:

- Spouse
- Son or daughter, including a biological, adopted, or foster child, a son or Daughter -in-law, a stepchild, a legal ward, or a child for whom the employee stands in loco parentis.
- Parent, stepparent, parent-in-law, or other individual who stands in loco parentis to the employee.
- Sibling, stepsibling, and sibling-in-law
- Grandparent and grandchild
- Any person residing in the employee's household at the time of illness or death

For purposes of family and medical leave, the definition of family is limited to spouse, parent, son or daughter, and next of kin. The definition of these are found in Policy DECA (LEGAL)

**Medical Certification.** Any employee who is absent more than 5 consecutive days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee’s fitness to return to work.

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

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

Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee’s unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

## **Personal State Leave**

State law entitles all employees to five days of paid personal leave per year. Personal leave is available for use at the beginning of the year. A day of personal leave is equivalent to the number of hours per day in an employee’s usual assignment, whether full-time or part-time. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

**Nondiscretionary.** Leave taken for personal or family illness, family emergency, a death in the family, or active military service is considered nondiscretionary leave. Reasons for this type of leave allow very little, if any, advance planning. Nondiscretionary leave may be in the same manner as state sick leave.

**Discretionary.** Leave taken at an employee’s discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor 10 working days (2-weeks) in advance of the anticipated absence. The effect of the employee’s absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor.

**Leave Proration.** If an employee separates from employment with the district before his or her last duty day of the year, or begins employment after the first duty day, state personal leave will be prorated based on the actual time employed. When an employee separates from employment before the last duty day of the school year, the employee's final paycheck will be reduced by the amount of state personal leave the employee used beyond his or her pro rata entitlement for the school year.

## **State Sick Leave**

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in ½ day increments, except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers' compensation benefits.

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

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

## **Local Leave**

Ten-month employees will earn three workdays of paid local leave, 11-month employees will earn four workdays of paid local leave, and 12-month employees will earn five workdays of paid local leave per school year in accordance with administrative regulations.

Local leave shall be noncumulative.

Local leave shall be used according to the terms and conditions of current state personal, except that an employee may contribute local leave to a sick leave bank. Unused local leave will be paid to employees in July. Unused days are paid at a rate of \$80.00 per day for professionals and \$64.00 for non-professionals.

## **Sick Leave Bank**

Employees may join the sick leave bank through contribution of local leave or state personal leave.

Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee or a member of the employee's immediate family experiences a catastrophic illness or injury and the employee has exhausted all paid leave.

If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's supervisor may submit the request.

The Sick Leave Bank Review Board shall develop regulations for the operation of the sick leave bank. Please contact new chair, Chairperson, for questions regarding guidelines.

## **Family and Medical Leave (FML)—General Provisions**

The following text is from the federal notice, *Employee Rights and Responsibilities Under the Family and Medical Leave Act*. Specific information that the district has adopted to implement the FMLA follows this general notice.

**Leave Entitlements.** Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child or parent, who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job.
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

For more information regarding FML, please refer to Policy DEC (Local).

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

## **Benefits and Protections**

While employees are on FML leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FML leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FML rights or retaliate against someone for using or trying to use FML leave, opposing any practice made unlawful by the FML or being involved in any proceeding under or related to the FML.

## **Eligibility Requirements**

An employee who works for a covered employer must meet three criteria in order to be eligible for FML leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special hours of service eligibility requirements apply to airline flight crew employees.

## **Requesting Leave**

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection.

Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

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

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

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

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

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

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

## **Employer Responsibilities**

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

**Unlawful Acts by Employers.** The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

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

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

*FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300 (a) may require additional disclosures.*

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[www.wagehour.dol.gov](http://www.wagehour.dol.gov)

## **Local Family and Medical Leave Provisions**

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

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

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

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

**Fitness for Duty.** An employee that takes FML due to the employee's own serious health condition shall provide, before resuming work, a fitness -for-duty certification from the health care provider. If certification of the employee's ability to perform essential job functions is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider.

**Reinstatement.** An employee returning to work at the end of FML will be returned to the same position held when the leave began or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FML entitlement, and the district will maintain the employees group health insurance and reinstate the employee at the end of the leave according the procedures outlined in policy (see DECA (LEGAL)).

**Failure to Return.** If, at the expiration of FML, the employee is able to return to work but chooses not to do so, the district may require the employee to reimburse the district's share of insurance premiums paid during any portion of FML when the employee was on unpaid leave. If the employee fails to return to work for a reason beyond the employee's control, such as a continuing personal or family serious health condition or a spouse being unexpectedly transferred more than 75 miles from the district, the district may not require the employee to reimburse the district's share of premiums paid.

**District Contact.** Employees that require FML or have questions should contact Rebeca Cruz, Benefits Specialist, for details on eligibility, requirements, and limitations.

## **Temporary Disability Leave**

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

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

If 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, Donna Fontenot, Personnel Specialist, in the Human Resources Office should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to

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

## **Workers' Compensation Benefits**

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

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

## **Assault Leave**

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An incident involving an assault is a work-related injury, and should be immediately reported to your supervisor.

An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.

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

## **Bereavement Leave**

An employee shall be granted two days of paid bereavement leave for the death of an immediate family member. The employee shall be required to submit documentation to confirm the family relationship and need for bereavement leave in accordance with administrative regulations.

## **Jury Duty**

*Policies DEC, DG*

The district provides paid leave to employees who are summoned to jury duty including service on a grand jury. The district will not discharge, threaten to discharge, intimidate, or coerce any regular employee because of juror or grand juror service or for the employee's attendance or scheduled attendance in connection with the service in any court in the United States. Employees who report to the court for jury duty may keep any compensation the court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the district a copy of the summons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. The supervisor may consider the travel time required and the nature of the individual's position when determining the need to report to work. A copy of the release from jury duty or documentation of time spent at the court may be required.

## **Compliance with a Subpoena**

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

## **Truancy Court Appearances**

An employee who is a parent, guardian of a child, or a court-appointed guardian ad litem of a child who is required to miss work to attend a truancy court hearing may use personal leave or compensatory time for the absence. Employees who do not have paid leave available will be docked for any absence required because of the court appearance.

## Religious Observance

The district will reasonably accommodate an employee's request for absence for a religious holiday or observance. Accommodations such as changes to work schedules or approving a day of absence will be made unless they pose an undue hardship to the district. The employee may use any accumulated personal leave for this purpose. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

## Military Leave

**Paid Leave for Military Service.** Any employee who is a member of the Texas National Guard, Texas State Guard, reserve component of the United States Armed Forces, or a member of a state or federally authorized Urban Search and Rescue Team is entitled to paid leave when engaged in authorized training or duty ordered by proper authority. Paid military leave is limited to 15 days each fiscal year. In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after Military Leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. Employees returning to work following military leave should contact Donna Fontenot, H R Specialist. In most cases, the length of federal military service cannot exceed five years.

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

## Employee Absences and Tardies

- **Professional staff.** For professional staff, office professionals and para-educators, Aesop is the method for reporting absences. Absences should be reported at the earliest possible time and before the scheduled check-in or start of duty time. If an employee knows in advance that he/she will be absent for 10 (ten) or more consecutive days, the employee must request a leave of absence. Except as provided by law or district policy, excessive absences, tardiness or leaving work early (10 or more times during the regular school year schedule) may result in disciplinary action or termination.

- **Ancillary employees.** For ancillary staff, absences are reported to the department or supervisor as determined by departmental guidelines and procedures. Absences should be reported at the earliest possible time, and before the scheduled check-in or start of duty time. If an ancillary employee has an unexcused or unreported absence of three (3) consecutive days, such absence(s) will be taken as a voluntary resignation of employment, effective at the end of the regularly scheduled shift the third day. If an ancillary employee leaves campus or the work area prior to the end of the regularly scheduled end of shift without notifying the department or supervisor, such action will be understood as a voluntary resignation.
- **All employees.** Failure to report an absence in a timely manner for the appropriate absence recording system (e.g. AESOP/Frontline) may subject the employee to disciplinary action or termination. Pursuant to Policy DEC (Local), absences of 5 consecutive days for personal illness, require a doctor's statement to be submitted to the supervisor.

### **Employee Docks**

- All employees will be docked pay for unauthorized or unpaid leave. Employees who are or will be docked while on long term leave (e.g., FMLA, TDL, Assault Leave) have the option to (1) receive reduced pay to account for the anticipated amount to be docked via a payroll deduction over a period of up to 4 months; or (2) have their paychecks stopped until the amount docked is satisfied.

# **Employee Relations and Communications**

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## **Employee Recognition and Appreciation**

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings and through special events and activities. Recognition and appreciation activities also include teacher-of-the-year awards, luncheons, etc.

## **District Communications**

Throughout the school year, the Administration Office will communicate by way of the website, brochures, fliers, calendars, news releases, and other communication materials. These communications offer employees and the community information pertaining to school/district activities and other useful information.

## **Complaints and Grievances**

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### *Policy DGBA*

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

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns or complaints to the board of trustees. The district's policy concerning the process of bringing concerns and complaints is DGBA (Local) and can be found on the district website at [www.crosbyisd.org](http://www.crosbyisd.org) under the School Board tab.

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines including intentionally making a false claim, offering false statements, or refusing to cooperate with a district investigation may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent knew of the incident. See *Reports to the, Texas Education Agency* for additional information.

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

### **Texas Educators' Code of Ethics**

#### **Purpose and Scope**

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each

student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. This chapter shall apply to educators and candidates for certification (19 TAC 247.1(b))

## **Professional Standards**

### **1. Professional Ethical Conduct, Practices, and Performance**

**Standard 1.1** The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

**Standard 1.2** The educator shall not intentionally, knowingly, or recklessly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

**Standard 1.3** The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

**Standard 1.4** The educator shall not use institutional or professional privileges for personal or partisan advantage.

**Standard 1.5** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or that are used to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

**Standard 1.6** The educator shall not falsify records, or direct or coerce others to do so.

**Standard 1.7** The educator shall comply with state regulations, written local school board policies, and other state and federal laws.

**Standard 1.8** The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

**Standard 1.9** The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.

**Standard 1.10** The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

**Standard 1.11** The educator shall not intentionally, knowingly or recklessly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

**Standard 1.12** The educator shall refrain from the illegal use, abuse or distribution of controlled substances prescription drugs and toxic inhalants.

**Standard 1.13** The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.

## **2. Ethical Conduct toward Professional Colleagues**

**Standard 2.1** The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

**Standard 2.2** The educator shall not harm others by knowingly making false statements about a colleague or the school system.

**Standard 2.3** The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

**Standard 2.4** The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

**Standard 2.5** The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.

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

**Standard 2.7** The educator shall not retaliate against any individual who has filed a complaint with the SBEC or provides information for a disciplinary investigation or proceeding under this chapter.

**Standard 2.8** The educator shall not intentionally or knowingly subject a colleague to sexual harassment.

## **3. Ethical Conduct toward Students**

**Standard 3.1** The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

**Standard 3.2** The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

**Standard 3.3** The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

**Standard 3.4** The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

**Standard 3.5** The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

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

**Standard 3.7** The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

**Standard 3.8** The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

**Standard 3.9** The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly or the educator attempted to conceal the communication;
- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

## **Discrimination, Harassment, and Retaliation**

*Policies DH, DIA*

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees, unpaid interns, student teachers, or students. While acting in the course of their employment, employees shall not engage in prohibited harassment of other persons including board members, vendors, contractors, volunteers, or parents. A substantiated charge of harassment will result in disciplinary action.

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

Any district employee who believes that he or she has experienced prohibited conduct based on sex, including sexual harassment, or believes that another employee has experienced such prohibited conduct, should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor, the campus principal, the Title IX coordinator, or the superintendent. The district's Title IX coordinator's name and contact information is listed in the Equal Employment Opportunity section of this handbook.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment, and retaliation is DIA (Local) and may be accessed on the district website at [www.crosbyisd.org](http://www.crosbyisd.org) under the Board Policy tab.

## **Fraternization Among Employees**

An employee in a supervisory role shall not date or form a romantic and/or sexual relationship with a subordinate, even if consensual. This policy:

1. Promotes the efficient operation of the District;
2. Avoids claims of conflict of interest, sexual harassment, and gender-based discrimination; and
3. Avoids blurring professional and personal responsibilities and relationships in the workplace between superior and subordinate staff members.

This policy shall not apply to employees who are married.

## **Harassment of Students**

*Policies DH, DHB, FFG, FFH, FFI*

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited.

Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. Any district employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct based on sex, including sexual harassment, of a student shall immediately notify the district's Title IX coordinator, the ADA/Section 504 coordinator, or superintendent and take any other steps required by district policy.

All allegations of prohibited harassment of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See Reporting Suspected Child Abuse, page 40 and Bullying, page 68 for additional information.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is DHB (LEGAL), text of FFH (LOCAL) and may be accessed on the district website at [www.crosbyisd.org](http://www.crosbyisd.org) under the Board Policy tab.

## **Reporting Suspected Child Abuse**

*Policies DG, GRA*

All employees are required by state law to report any suspected child abuse or neglect as defined by Texas Family Code §26.001 to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering the

facility) within 48 hours of the event that led to the suspicion. Alleged abuse or neglect involving a person responsible for the care, custody, or welfare of the child (including a teacher) must be reported to CPS

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

Reports to Child Protective Services can be made online at <https://www.txabusehotline.org/Login/Default.aspx> or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from taking an adverse employment action against a certified or licensed professional 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 make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agency.

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and neglect. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

## **Sexual Abuse and Maltreatment of Children**

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed in the District Parent /Student Handbook. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who suspects that a child has been or may be abused or neglected has a legal

responsibility under state law for reporting the suspected abuse or neglect following the procedures described above in *Reporting Suspected Child Abuse*.

## **Reporting Crime**

### *Policy DG*

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

## **Scope and Sequence**

### *Policy DG*

If a teacher determines that students need more or less time in a specific area to demonstrate proficiency in the Texas Essential Knowledge and Skills (TEKS) for that subject and grade level, the district will not penalize the teacher for not following the district's scope and sequence.

The district may take appropriate action if a teacher does not follow the district's scope and sequence based on documented evidence of a deficiency in classroom instruction. This documentation can be obtained through observation or substantiated and documented third-party information.

## **Technology Resources**

### *Policy CQ*

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

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

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

Employees are required to abide by the provisions of the acceptable use agreement and administrative procedures. Failure to do so can result in suspension of access or termination of

privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact Amy Davis, Director of Technology Services.

## **Acceptable Use Policy**

### **Introduction**

Under the provisions of the Information Resources Management Act, information resources are strategic assets of the State of Texas that must be managed as valuable state resources. Thus, this policy is established to achieve the following:

1. To ensure compliance with applicable statutes, regulations, and mandates regarding the management of information resources.
2. To establish prudent and acceptable practices regarding the use of information resources.
3. To educate individuals who may use information resources with respect to their responsibilities associated with such use.

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

### **Ownership of Electronic Files**

Electronic files created, sent, received, or stored on information resources owned, leased administered, or otherwise under the custody and control of CISD are the property of CISD.

### **Acceptable Use Policy**

- CISD employees are assigned an individual account for access to approved CISD technology resources. Employees will not share passwords or other account information.
- CISD computer resources must be used in a manner that complies with CISD policies and State and Federal laws and regulations.
- It is against CISD policy to install or run software requiring a license on any CISD computer without a valid license.
- All software must be authorized by CISD TS prior to use. Individuals may request written approval for software/technology use through the Director of Technology Services. Unauthorized software is subject to removal upon discovery.
- Use of CISD's computing and networking infrastructure by CISD employees unrelated to their CISD positions must be limited in both time and resources and must not interfere in any way with CISD functions or the employee's duties. It is the responsibility of employees to consult their supervisors, if they have any questions in this respect.
- Uses that interfere with the proper functioning or the ability of others to make use of CISD's networks, computer systems, applications and data resources are not permitted.
- Use of CISD computer resources for personal profit is not permitted.

- Files, images, emails or documents which may cause legal action against or embarrassment to CISD, may not be sent, received, accessed in any format (i.e. auditory, verbal or visual), downloaded or stored on CISD information resources.
- Decryption of passwords is not permitted, except by authorized staff performing security reviews or investigations.
- Users must not download, install or run any programs or utilities on their systems except those authorized and installed by CISD TS and specifically designed to conduct the business of CISD. Examples of non-business related software or files include, but are not limited to: unauthorized peer-to-peer (P2P) file-sharing software, games, unauthorized instant messengers (IM), pop email, music files, image files, freeware, and shareware. Unauthorized software may be removed upon discovery.
- Only authorized CISD staff may communicate with District students through electronic means, including social media, e-mail, and text messaging. If you are unsure whether or not you are authorized to communicate with a student through electronic means, ask your supervisor. [See DH]
- Copies of potentially sensitive or confidential District records should not be sent, viewed, or stored using an online application not approved by the District.
- Employees must not Access CISD resources to knowingly alter, damage, or delete CISD property or information, or to breach any other electronic equipment, network, or electronic communications system in violation of the law or CISD policy.
- CISD employees must not disable or attempt to disable or bypass any Internet filtering device.
- CISD employees must not encrypt communications to avoid security review.
- CISD employees must not send, post, or possess materials that are abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including material that constitutes prohibited harassment and “sexting.”
- CISD employees must not use inappropriate language such as cursing, vulgarity, ethnic or racial slurs, and any other inflammatory language.
- CISD employees must not post or transmit pictures of students without obtaining prior permission from all individuals depicted or from parents of depicted students who are under the age of 18.

### **Incidental Use**

As a convenience to CISD user community, incidental use of information resources may be permitted. The following restrictions apply:

- Incidental use must not interfere with the normal performance of an employee’s work duties.
- Storage of personal email messages, voice messages, files and documents within CISD’s information resources must be nominal.
- All messages, files and documents – including personal messages, files and documents – located on CISD information resources are owned by CISD, may be subject to open records requests, and may be accessed in accordance with this policy.

Inappropriate use of the District’s technology resources may result in revocation or suspension of the privilege of using these resources, as well as other disciplinary or legal action, in accordance with applicable District policies, administrative regulations, and laws.

### **Reporting Violations**

- CISD employees must immediately report any known violation of CISD’s applicable policies, Information Security Policy, or Acceptable Use Policy to the Technology Services Director.
- CISD employees must report requests for personally identifiable information, as well as any content or communication that is abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal to the Technology Services Director.

### **Return of Technology Resources and Records**

- Upon leaving employment, or upon request from the Superintendent, CISD employees must return any District-owned equipment or resources in their possession.
- CISD employees must also return any records, written or electronic, to the District for records retention if they have reason to believe they are retaining the sole copy of a record subject to records retention requirements. CISD employees must destroy (delete or shred) any other confidential records remaining in their possession.

## **Personal Recording Devices**

### *Policy CQ (Regulation)*

The purpose of this regulation is to outline the restrictions on the use of personal recording devices in District facilities and during school-related activities.

The potential for misuse of these devices in the workplace, and in the classroom, is a growing concern at the District and elsewhere. The devices are smaller and less expensive than in past years and thus more prevalent. The devices are easy to conceal and permit people to record other individuals’ activities without their knowledge or consent. Audio recordings and digital images also may be immediately posted to the Internet or e-mail without the knowledge of the individuals whose images or voices have been recorded. The inappropriate use of recording devices may impair harmonious working relationships, disrupt morale, and lead to complaints about invasion of privacy, harassment, student cheating, and copyright violations. The misuse of such devices also may violate the criminal law.

The following restrictions apply to personal camera phones, cameras, audio\tape recorders, video recorders, and any other electronic device that is capable of recording the human voice or image:

1. Protection of Confidential Information: Employees, including student workers, are prohibited from using recording devices to duplicate confidential information, including student records, personnel records, and medical records.

2. Restrooms and Other Private Locations: Employees, students, and visitors are prohibited from using recording devices in restrooms, locker rooms, dressing rooms, and other locations where people have a reasonable expectation of privacy. To prevent any misunderstanding, employees, students, and visitors are encouraged to store such devices in purses, backpacks, briefcases, or pockets while visiting these locations.
3. Classrooms and Other Instructional Locations: To prevent disruption and academic dishonesty, instructors are permitted to impose restrictions on students regarding use of recording devices in classrooms, laboratories, or other locations where instruction or testing occurs. Instructors will notify students in writing of any restrictions on the use of recording devices. Such restrictions, if any, will be included in syllabi, course handbooks, or other printed class material distributed to students. The following language may be used: “Use of recording devices, including camera phones and tape recorders, is prohibited in classrooms, laboratories, faculty offices, and other locations where instruction, tutoring, or testing occurs. Students with disabilities who need to use a recording device as a reasonable accommodation should contact the Office for Student Support Services for information regarding reasonable accommodations.
4. Photography in Offices, Conference Rooms, and Other Campus Locations Not Freely Open to Public Traffic: Before taking photographs of other employees or students in locations not freely open to public traffic, employees will obtain the permission of the individuals to be photographed. This restriction does not apply to photography in common areas that are freely open to public traffic, such as cafeterias, outdoor patios, parking lots, and open lobby and reception areas.
5. “Voyeurism”: Camera phones and other recording devices will not be used, even in a public area, to take a photo of a person’s body from an angle that is intimate, revealing, or sexual or that constitutes an invasion of personal privacy.
6. Restrictions on Use of Recorders by Employees: Except as permitted by items 7, 8, and 10 below, employees are prohibited from using recording devices at any District facility or during work-related activities and meetings. Recording is prohibited regardless of whether the recording is done secretly or openly. Any unauthorized publication or distribution of the recorded voice of another employee is a disciplinary offense. Additionally, employees should be aware that it is a crime under the Texas Penal Code to record a conversation to which one is not a party.
7. Recording Allowed without Permission: Employees may tape record grievance-related hearings and meetings and termination hearings, and students and/or parents may tape record disciplinary proceedings; however, the recording must take place openly. Recording is permitted at official functions such as award banquets and graduation ceremonies; however, the recording must take place openly. Employees and other citizens may record the proceedings at a publicly held meeting of the Board but must comply with any board policies pertaining to the time, place, and manner of such recordings.
8. Obtaining Permission to Record: In some situations, employees and supervisors may mutually agree that it would be beneficial to record a particular work-related meeting or presentation. Recording is permissible in such instances, but all participants must agree, and the recording must be done openly. Inquiries about the recording of meetings, events, or

functions not specifically addressed in this memorandum should be directed to the assistant superintendent for human resources (employees) or the deputy superintendent (students or parents).

9. **Exception Under the Americans with Disabilities Act:** In some situations, an employee or student with a disability may need to use a recording device as a reasonable accommodation. Employees desiring such accommodations should contact the office of human resources. Students should contact the Office for Student Support Services for information regarding reasonable accommodations.
10. **Exception for Official Business:** Students or employees performing official business on behalf of the District may be permitted to use recording devices for legitimate work-related purposes where the making of a recording is necessary to fulfill the requirements of the particular work project, including investigatory purposes, archival purposes, educational purposes or training purposes (such as recording a presentation for future viewing by staff or students), and journalism purposes (such as photography for an official District publication). Supervisors will appropriately monitor the use of recording devices to ensure that they are being used only for legitimate District business.
11. **Right to Inspect:** To minimize the risk of unauthorized copying of confidential records and proprietary information that is not available to the general public, any student or employee connecting a personal computing device, data storage device, or image-recording device to the District's networks or information systems thereby gives permission to the District to inspect the personal computer, data storage device, or image-recording device at any time and to analyze any files, other data, or data storage devices or media that may be within or connectable to the data-storage device in question in order to ensure that confidential education records and proprietary information have not been taken without authorization. Students and employees who do not wish such inspections to be done on their personal computers, data storage devices, or imaging devices should not connect them to District computers or networks.
12. **Discipline:** Violations of this policy may result in discipline, up to and including termination or expulsion, depending upon the severity and repeat nature of the offense. In addition, the employee may face both civil and criminal liability from the District, from law enforcement officials, or from individuals whose rights are harmed by the violation.

## **Personal Use of Electronic Communications**

### *Policy DH*

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

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

An employee who uses electronic communications for personal purposes shall observe the following:

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall limit use of personal electronic communication devices to send or receive calls, text messages, pictures, and videos to breaks, meal times, and before and after scheduled work hours, unless there is an emergency or the use is authorized by a supervisor to conduct district business.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.
- An employee may not share or post, in any format, information, videos, or pictures obtained while on duty or on district business unless the employee first obtains written approval from the employee's immediate supervisor. Employees should be cognizant that they have access to information and images that, if transmitted to the public, could violate privacy concerns.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators' Code of Ethics even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:
  - Confidentiality of student records. [See Policy FL]
  - Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See DH (EXHIBIT)]
  - Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]
  - Copyright law [See Policy CY]
  - Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See DH (EXHIBIT)]

See Electronic Communications between Employees, Students and Parents below, for regulations on employee communication with students through electronic media.

## **Electronic Communications between Employees, Students and Parents**

### *Policy DH*

A certified or licensed employee, or any other employee designated in writing by the superintendent/designee or a campus principal, may use electronic communications with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. Electronic communications between all other employees and students who are enrolled in the district are prohibited.

Employees are not required to provide students with their personal phone number or email address.

An employee is not subject to the provisions regarding electronic communications with a student to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, or religious organization. An employee who claims an exception based on a social relationship shall provide written consent from the student's parent.

The written consent shall include an acknowledgement by the parent that:

- The employee has provided the parent with a copy of this protocol
- The employee and the student have a social relationship outside of school;
- The parent understands that the employee's communications with the student are excepted from district regulation; and
- The parent is solely responsible for monitoring electronic communications between the employee and the student.

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

- *Electronic* means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes email, text messages, instant messages, and any communication made through an Internet website, including a social media website or a social networking website
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*; however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

An employee who communicates electronically with students shall observe the following:

- The employee is prohibited from knowingly communicating with students using any form of electronic communications, including mobile and web applications, that are not provided or accessible by the district unless a specific exception is noted below.
  
- Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. An employee who communicates with a student using text messaging shall comply with the following protocol:
  - The employee shall include at least one of the student’s parents or guardians as a recipient on each text message to the student so that the student and parent receive the same message;
  - The employee shall include his or her immediate supervisor as a recipient on each text message to the student so that the student and supervisor receive the same message; or
  - For each text message addressed to one or more students, the employee shall send a copy of the text message to the employee’s district e-mail address.
  
- The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for the purpose of communicating with students. The employee must enable administration and parents to access the employee’s professional page.
- The employee shall not communicate directly with any student between the hours of 8:00 p.m. and 8:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Texas Educators’ Code of Ethics including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
  - Copyright law [See Policy CY]
- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with one or more currently-enrolled students.

- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor.
- All staff are required to use school email accounts for all electronic communications with parents. Communication about school issues through personal email accounts or text messages are not allowed as they cannot be preserved in accordance with the district's record retention policy.
- An employee shall notify his or supervisor in writing within one business day if a student engages in an improper electronic communication with the employee. The employee should describe the form and content of the electronic communication.

## **Public Information on Private Devices**

### *Policy DH*

Employees should not maintain district information on privately owned devices. Any district information must be forwarded or transferred to the district to be preserved. The district will take reasonable efforts to obtain public information in compliance with the Public Information Act.

Reasonable efforts may include:

- Verbal or written directive
- Remote access to district-owned devices and services

## **Criminal History Background Checks**

### *Policy DBAA*

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

## **Employee Arrests and Convictions**

### *Policy DH*

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

- Crimes involving school property or funds

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

Moral turpitude includes the following:

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

If an educator is arrested or criminally charged, the superintendent is also required to report the educator's criminal history to the Division of Investigations at TEA.

## **Alcohol and Drug-Abuse Prevention**

*Policy DH,*

Crosby ISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug use is DH (Local) and DI (Exhibit) and may be accessed on the district website at [www.crosbyisd.org](http://www.crosbyisd.org) under the Board Policy tab.

**Use the link to access the Alcohol and Drug-abuse Prevention policy DH on line.**

**<https://pol.tasb.org/Policy/Code/586?filter=DH>**

## **Tobacco Products and E-Cigarette Use**

*Policies DH, FNCD GKA*

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

## **Fraud and Financial Impropriety**

*Policy CAA*

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district, except as otherwise permitted by law or district policy
- Inappropriately destroying, removing, or using records, furniture, fixtures, or equipment
- Failing to provide financial records required by federal, state or local entities
- Failure to disclose conflicts of interest as required by law or district policy
- Any other dishonest act regarding the finances of the district
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

## **Conflict of Interest**

*Policy CB, DBD*

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

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

Employees should contact their supervisor for additional information.

## **Gifts and Favors**

*Policy DBD*

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

## **Copyrighted Materials**

*Policy EFE*

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

## **Charitable Contributions**

*Policy DG*

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

## **Associations and Political Activities**

### *Policy DGA*

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

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

The district encourages personal participation in the political process, including voting. Employees who need to be absent from work to vote during the early voting period or on election day must communicate with their immediate supervisor prior to the absence.

## **Safety**

### *Policy CK series*

The district has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. See Emergencies on page 57 for additional information.

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.

While driving on district business, employees are required to abide by all state and local traffic laws. Employees driving on district business are prohibited from texting and using other electronic devices that require both visual and manual attention while the vehicle is in motion. Employees will exercise care and sound judgment on whether to use hands -free technology while the vehicle is in motion.

Employees with questions or concerns relating to safety programs and issues can contact their campus or department supervisor.

## **Possession of Firearms and Weapons**

*Policies DH, FNCG, GKA*

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided the handgun or firearm or ammunition is properly stored, and not in plain view. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor immediately. If the supervisor or other appropriate supervisory personnel are not available, call 911 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 a badge/sticker and 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 an administrator.

## **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 the district. The district's management plan is kept and maintained by Chuck Murray, Director of Operations.

## **Pest Control Treatment**

*Policies CLB, DI*

Employees are prohibited from applying any pesticide or herbicide at any CISD building or property. All pesticides must be applied by a state licensed applicator. Any application of pesticide or herbicide must be done in a manner prescribed by law and the district's integrated pest management program.

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

employee who requests individualized notice will be notified by telephone, written or electric means. Pest control information sheets are available at the district's maintenance office. For any questions or concerns, please contact Chuck Murray, Director of Operations.

# General Procedures

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## Emergency School Closing

The district may close schools because of severe weather, epidemics or other emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of the district's facilities. When it becomes necessary to open late, to release students early, or to cancel school, district officials will post a notice on the district's Web site and notify the following radio and television stations:

Radio Stations

*KTRH KILT  
KIKK KPRC  
KQUE*

Television Stations

*Channel 13 KTRK  
Channel 11 KHOU  
Channel 2 KPRC*

Social Media

*Crosby ISD Facebook Page  
Crosby ISD Website*

## Emergencies

*Policies CKC, CKD*

All employees should be familiar with the safety procedures for responding to emergencies, including a medical emergency. Employees should locate evacuation diagrams posted in their work areas and be familiar with shelter in place, lockdown, and lockdown procedures. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each campus is equipped with an automatic external defibrillator. Fire extinguishers are located throughout all district buildings. Employees should know the location of these devices and procedures for their use.

## Purchasing Procedures

*Policy CH*

All requests for purchases must be submitted in Skyward prior to a purchase. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact the Purchasing Manager for additional information on purchasing procedures.

## **Name and Address Changes**

It is important that employment records be kept up to date. Employees must notify their appropriate supervisor if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from the campus or department administrative office. Failure to update this information with the finance office may result in delay in receiving paychecks.

## **Personnel Records**

*Policy DBA, GBA*

Most district records, including personnel records, are public information and must be released upon request. In most cases, an employee's personal e-mail address is confidential and may not be released without the employee's permission.

Employees may choose to have the following personal information withheld:

- Address
- Phone Number, including personal cell phone number
- Emergency contact information
- Information that reveals whether they have family members

The choice to not allow public access to this information or change an existing choice may be made at any time by submitting a written request to Donna Fontenot, Personnel Specialist. New or terminated employees have 14 days after hire or termination to submit a request. Otherwise, personal information may be released to the public until a request to withhold the information is submitted or another exception for release of information by law applies. An employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

## **Facility Use**

*Policies DGA, GKD*

Employees who wish to use district facilities for personal use must follow established procedures. The campus principal and Chuck Murray, Director of Operations, is responsible for scheduling the use of facilities. Contact your campus principal to request to use a campus facility or Chuck Murray to request to use other district facilities and to obtain information on the fees charged.

## Employee Dress Code

Crosby ISD dress code serves to enable our employees to project an image that is in keeping with the high expectations for staff and students. As a general rule, dress and grooming shall be clean, neat and appropriate for the employee's assigned duty and job capacity and in accordance with any other standards as established by the supervisor at all school related activities.

Inappropriate attire is any item that causes a distraction to other employees and/or students or creates an unsafe environment. Employees are expected to dress in a manner that projects a professional image for the employees, the school and the District. The CISD dress code recognizes the value of personal self-expression and establishes parameters for when personal appearance enhanced by clothing, jewelry or tattoos exceeds appropriate and reasonable workplace limits.

Principals and administrative supervisors are delegated the authority and bear the responsibility for ensuring compliance with this policy and are expected to address employees whom they supervise on professional appearance in conformance with this policy. Administrators have the discretion to make exceptions to appropriateness of attire as it relates to culture and/or religious beliefs.

- Clothing that is suitable for the beach, yard work, dance clubs, exercise, and sports contests is not appropriate for a professional appearance at work.
- Any see-through clothing, clothing that reveals cleavage, stomach, back, or chest when standing, sitting, or bending is inappropriate for the classroom.
- Torn or dirty clothing is unacceptable. No holes should be in any attire. Any clothing that has words or pictures that may be offensive is unacceptable.
- Inappropriate slacks include blue jeans, wind suits, warm-ups, sweatpants, Bermuda shorts, shorts, leggings and other form-fitting pants.
- Short skirts and skirts with a high split are unacceptable. Dress and skirt length should allow you to sit comfortably in public. Sun dresses and spaghetti-strap dresses are not appropriate.
- Inappropriate tops include tank tops, midriff tops, shirts with offensive words, logos or pictures, halter tops, and tops with bare shoulders.
- Flip-flops designed for the beach are not appropriate. Dressy sandals are acceptable.
- Hats and baseball caps worn by professional staff are not appropriate inside school buildings.
- Visible tattoos are not allowed by professional employees or employees that have direct contact with students, parents and community.

- Visual body piercing is limited to non-excessive earrings. No other visible body piercing is allowed (eyebrows, nose, lips, tongue, chin or cheek).
- Full time PE teachers or those teaching more than two gym or sports activities are exempted from professional dress restrictions. However, they are expected to wear other pants or warm-ups when going into instructional settings.
- Spirit days may be held on the last day of the week. On spirit days, staff may wear blue jeans with a district related, educationally related theme shirt. Principals have the discretion to allow special dress on spirit days or other special days they deem to lift normal standards of dress.

**The Crosby ISD dress code cannot cover all contingencies. Employees will have to use their discretion in regards to professional dress. If you have questions regarding dress code in your building, see a campus administrator or department supervisor.**

Updated June 2017

# 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 at least 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to Karen Grey, Assistant Superintendent of Human Resources. Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without consent may result in disciplinary action by the State Board for Educator Certification (SBEC).

The principal is required to notify the superintendent of an educator's resignation within seven business days following an alleged incident of misconduct for any of the acts listed in Reports to Texas Education Agency on page 63. The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in one of the same acts.

**Noncontract Employees.** Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to Karen Grey, Assistant Superintendent of Human Resources, 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.

The principal is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal, or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

## Dismissal or Nonrenewal of Contract Employees

### *Policies DF Series*

Employees on probationary or term contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or when the employee's certification is revoked for

misconduct. Information on the timelines and procedures can be found in the DF series on line at [www.crosbyisd.org](http://www.crosbyisd.org) under the School Board tab.

## **Dismissal of Noncontract Employees**

*Policies DCD, DP*

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, sex, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in board policy DGBA (Local). You may access board policy on line at [www.crosbyisd.org](http://www.crosbyisd.org) under the School Board tab.

The principal is required to notify the superintendent of a noncertified employee's resignation or termination within seven business days following an alleged incident of misconduct of abuse of a student, or was involved in a romantic relationship with or solicited or engaged in sexual conduct with a student or minor. The superintendent will notify TEA within seven business days of receiving a report from a principal, or knew about an employee's resignation or termination following an alleged incident of misconduct described above.

## **Discharge of Convicted Employees**

*Policy DF*

The district shall discharge any employee who has been convicted of or placed on deferred adjudication community supervision for an offense requiring the registration as a sex offender or convicted of a felony under Title 5 Penal Code if the victim was a minor.

If the offense is more than 30 years before the date the person's employment began or the person satisfied all terms of the court order entered on conviction the requirement to discharge does not apply.

## **Exit Interviews and Procedures**

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

## District Property

All District keys, books, property, including academic property, and equipment must be returned upon separation from employment. All instructional materials purchased in accordance with Education Code Chapter 31 for a district are the property of the district. Tex. Educ. Code § 31.102(a)-(b); *see also* Board Policy CMD (Legal). Crosby ISD reserves the right to take appropriate legal and/or employment action against any employee for non-returned, lost or stolen district property.

## Reports to Texas Education Agency

*Policies DF, DHB, DHC*

**Certified Employees.** The resignation or termination of a certified employee must be reported to the Division of Investigations at TEA if there is evidence that the employee was involved in any of the following:

- Any form of sexual or physical abuse of a minor or any other unlawful conduct with a student or a minor
- Soliciting or engaging in sexual contact or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of district or school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit for the purpose of promotion or additional compensation
- Committing a criminal offense or any part of a criminal offense on district property or at a school-sponsored event

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

**Noncertified Employees.** The voluntary or involuntary separation of a noncertified employee from the District must be reported to the Division of Investigations at TEA by the superintendent if there is evidence the employee abused or otherwise committed an unlawful act with a student or minor, was involved in a romantic relationship with a student or minor, or solicited or engaged in sexual contact with a student or minor.

## **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. Notice of the following must be sent to the support recipient and the court or, in the case of child support, the Texas Attorney General Child Support Division:

- 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

*Policies FB, FFH*

In an effort to promote nondiscrimination and as required by law, Crosby ISD does not discriminate on the basis of race, color, religion, national origin, age, sex, or disability in providing education services, activities, and programs, including Career and Technical Education (CTE) 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 based on any of the reasons listed above should be directed to Dr. Patricia Kay, Assistant Superintendent of Student Services, 14670 FM 2100 Crosby, Texas 77532, pkay@crosbyisd.org, 281-328-9200, the district Title IX coordinator for students.

Questions or concerns about discrimination on the basis of a disability should be directed to Karla McGee, 333 Red Summit Dr., Crosby, Texas 77532, kmcgee@crosbyisd.org, 281-328-9200 the district Director of Special Education Services or Rachel Brady, 333 Red Summit Dr., Crosby, Texas 77532, rbrady@crosbyisd.org, 281-328-9200 the district ADA/Section 504 coordinator for students.

All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

## Student Records

*Policy FL*

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

- Parents: Married, separated, or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. A district is not prohibited from granting the student access to the student's records before this time.
- School officials with legitimate educational interests

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the appropriate campus administrator or designee 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 teacher or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

## **Administering Medication to Students**

### *Policy FFAC*

Only designated employees may administer prescription medication, nonprescription medication and herbal or dietary supplements to students. Exceptions apply to the self-administration of asthma medication, medication for anaphylaxis (e.g., EpiPen), and medication for diabetes management, if the medication is self-administered in accordance with district policy and procedures. A student who must take any other medication during the school day must bring a written request from his or her parent and the medicine in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

## **Dietary Supplements**

### *Policies DH, FFAC*

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

## **Psychotropic Drugs**

### *Policy FFAC*

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

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

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

## **Student Conduct and Discipline**

*Policies in the FN series and FO series*

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

## **Student Attendance**

*Policy FEB*

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

## **Bullying**

*Policy FFI*

Bullying is defined by TEC §37.0832. All employees are required to report student complaints of bullying, including cyber bullying, to a campus administrator or supervisor. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

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

### DEFINITION

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

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or
2. Is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

This conduct is considered bullying if it:

1. Exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and
2. Interferes with a student's education or substantially disrupts the operation of a school.

#### EXAMPLES

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

#### RETALIATION

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

#### EXAMPLES

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

#### FALSE CLAIM

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

#### TIMELY REPORTING

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

#### REPORTING PROCEDURES

##### STUDENT REPORT

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

##### EMPLOYEE REPORT

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

#### REPORT FORMAT

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

#### PROHIBITED CONDUCT

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

#### INVESTIGATION OF REPORT

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

#### CONCLUDING THE INVESTIGATION

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

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

#### NOTICE TO PARENTS

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

#### DISTRICT ACTION BULLYING

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

#### DISCIPLINE

A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

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

#### CORRECTIVE ACTION

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

#### TRANSFERS

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

#### COUNSELING

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

#### IMPROPER CONDUCT

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

#### CONFIDENTIALITY

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

#### APPEAL

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

#### RECORDS RETENTION

Retention of records shall be in accordance with CPC(LOCAL).

#### ACCESS TO POLICY AND PROCEDURES

This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's Web site, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.

## Hazing

### Policy FNCC

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

## Index

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- Administering medication, 67
- Administration, 8
- Alcohol and drug
  - abuse prevention, 52
  - testing, 12
- Arrests and convictions, 51
- Asbestos management plan, 56
- Assault leave, 31
- Associations and political activities, 55
- At-will employment, 11
- Automatic payroll deposits, 18
- Background checks, 51
- Bad weather closing, 58
- Benefits
  - cafeteria plan, 21
  - health insurance, 20
  - leave, 23
  - retirement, 22
  - supplemental insurance, 21
  - workers’ compensation, 21, 31
- Board of Trustees
  - information, 7
  - members, 7
- Building use**, 59
- Bullying, 68
- Cafeteria benefits, 21
- Certification
  - health and safety training, 13
  - maintaining, 11, 12
  - parent notification, 14
- Change of address, 59
- Charitable contributions, 54
- Child abuse
  - sexual, 41
- Child abuse reporting, 40
- Code of ethics, 36
- Committees, 15
- Compensation, 16
- Complaints
  - employee, 35
  - parent and student, 67
- Compliance coordinators**, 9, 66
- Compliance with a Subpoena, 32
- Conduct and welfare, 36
- Conflict of interest**, 54
- Contract
  - employment, 10
  - nonrenewal, 62
- Copyright materials, 54
- Court appearances, 32
- Court order withholding, 65
- Criminal history background checks, 51
- Dietary supplements, 67
- Directories
  - helpful contacts, 8
  - school, 9

Discipline, 68  
 Discrimination  
     employee, 39, 40  
     student, 66  
 Dismissal  
     contract employees, 62  
     noncontract employees, 62  
 District  
     **communications**, 35  
     information, 6, 9  
     mission statement, 6  
 Drug  
     abuse prevention, 52  
     psychotropic, 67  
     testing, 12  
 Electronic communications, 47, 49  
 Emergencies, 58  
 Employee  
     conduct and welfare, 36  
     involvement, 15  
     recognition, 35  
 Employment  
     after retirement, 10  
     at-will, 11  
     contract, 10  
     noncontract, 10  
     outside, 15  
***Equal opportunity***  
     educational, 66  
     **employment**, 9  
 Exit interviews, 63  
 Family and medical leave, 26  
 Firearms, 56  
 Fraud, 53  
 General procedures, 58  
 Gifts and favors, 54  
 Grievances, 35  
 Harassment, 39, 40  
***Hazing***, 72  
 Health insurance, 20  
 Health safety training, 13  
 Helpful contacts, 8  
 Insurance  
     health, 20  
     supplemental, 21  
     unemployment, 21  
     workers' compensation, 21  
 Internet use, 47, 49  
 Job vacancy announcements, 10, 33  
 Leave  
     assault, 31  
     **bank**, 25  
     court appearances, 32  
     discretionary, 24  
     family and medical, 26  
     local, 25  
     medical certification, 24  
     military, 33  
     nondiscretionary, 24  
     personal, 24  
     **pool**, 25  
     sick, 25  
     temporary disability, 30  
 Maltreatment of children, 41  
 Medications, 67  
 Military leave, 33  
 Mission statement, 6  
 Name and address changes, 59  
 No Child Left Behind Act, 14  
 Nonrenewals, 62  
 Outside employment, 15  
 Overtime, 19  
 Parent and student complaints, 67  
 Parent notification, 14  
 Paychecks, 17  
 Payroll  
     automatic deposits, 18  
     deductions, 17, 19  
     schedule, 17  
 Performance evaluation, 15  
 Personal leave, 24  
 Personnel records, 59  
 Pest control treatment, 56  
 Political activities, 55  
 Possession of firearms and weapons, 56  
 Psychotropic drugs, 67  
 Purchasing procedures, 58  
 Qualifying exigency, 29  
 Reassignments, 13  
 Religious Observance, 33  
 Resignations, 62  
     contract employees, 62

- noncontract employees, 62
- Retaliation, 39, 40
- Retirement
  - benefits, 22
  - employment after, 10
- Safety, 55
- Salaries, 16
- SBEC reports, 64
- School**
  - calendar**, 8
  - directory, 9
  - school closing, 58
- Searches, 12
- Sexual harassment
  - student, 40
- Sick leave, 25
- Staff development**, 16
- Standards of conduct, 36
- Student
  - attendance, 68
  - bullying, 68
  - dietary supplements, 67
  - discipline, 68
  - equal educational opportunities, 66
  - harassment, 40
  - hazing**, 72
  - medication, 67
  - records, 66
- Supplemental insurance, 21
- Teacher retirement, 22
- Technology resources, 42, 43
- Temporary disability leave, 30
- Termination
  - dismissal during the contract term, 62
  - exit interviews, 63
  - noncontract employees, 63
  - nonrenewal, 62
  - reports to SBEC, 64
  - resignation, 62
- Text messaging, 49
- Tobacco use, 53
- Training
  - health and safety, 13
  - staff development**, 16
- Transfers, 13
- Travel expenses, 20
- Truancy Court Appearances, 32
- Tutoring, 15
- Unemployment insurance, 21
- Vacancy announcements, 10, 33
- Visitors, 56
- Wages, 16
- Weapons, 56
- Work schedule, 14
- Workers' compensation benefits, 21, 31
- Workload, 14

