

# Brazos ISD

## 2020–2021 Employee Handbook

If you have difficulty accessing the information in this document because of a disability, please email [kanak@brazosisd.net](mailto:kanak@brazosisd.net).



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# Employee Handbook Receipt

Name \_\_\_\_\_

Campus/Department \_\_\_\_\_

I hereby acknowledge receipt of a copy of the Brazos ISD Employee Handbook. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

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

*The handbook may be accessed at [www.brazosisd.net](http://www.brazosisd.net) under the Staff tab.*

Please indicate your choice by checking the appropriate box below:

- I choose to receive the employee handbook in electronic format and accept responsibility for accessing it according to the instructions provided.
- I choose to receive a hard copy of the employee handbook and understand I am required to contact Lisa Kanak to obtain a hard copy.

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please sign and date this receipt and **forward it to the central office** for filing.

# Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are, have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to Superintendent, Scott Rogers, at [srogers@brazosisd.net](mailto:srogers@brazosisd.net).

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

# District Information

## Description of the District

Brazos ISD is part of both Fort Bend and Austin counties and includes the towns of Wallis and Orchard. The district has three campuses, Brazos Elementary, Brazos Middle School, and Brazos High School. The superintendent’s office is located in Wallis. Taxes are assessed and collected by the Austin County Appraisal District located in Bellville.

## Mission Statement, Goals, and Objectives

*Policy AE*

Our vision: Brazos ISD inspires each student to become a productive citizen who demonstrates leadership, passion, and self-reliability. We foster a culture of respect, community, perseverance, and achievement.

## 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. Board members are elected by position and serve three-year terms. Board members serve without compensation, must be qualified voters, and must reside in the district.

Current board members include:

- Myles Marek – President
- Dale Divin – Vice-President
- Matt Demny – Secretary
- Brian Demny
- Tammy McCain
- Tiffany Meyer
- Justin Richardson

The board usually meets on the fourth Wednesday of the month at 7:00PM. In the event that large attendance is anticipated, the board may meet at the Brazos High School Library. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district website and board room door 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**

*Wednesday, July 28, 2021*

*Wednesday, August 25, 2021*

*Wednesday, September 22, 2021*

*Wednesday, October 27, 2021*

*Wednesday, November meeting TBA*

*Wednesday, December meeting TBA*

*Wednesday, January 26, 2022*

*Wednesday, February 23, 2022*

*Wednesday, March 23, 2022*

*Wednesday, April 27, 2022*

*Wednesday, May 25, 2022*

*Wednesday, June 22, 2022*

## **Administration**

- Scott Rogers – Superintendent
- Courtney Marek – Business Manager/Payroll
- Lisa Kanak – Superintendent’s Secretary/Student Activity Accounts
- Kim Clark – Accounts Payable/Benefits Coordinator/Records Clerk/District PEIMS Coordinator
- \_\_\_\_\_ – Director of Transportation/Maintenance
- Monica Gross – Interim Director of Special Education
- Teresa Ressler- Special Programs Coordinator
- Eric Cormier – High School Principal
- Clay Hudgins – Middle School Principal
- \_\_\_\_\_ – Elementary Principal
- Jessie Nanes – Technology Director
- Ryan Roecker – Athletic Director
- Linda Pustejovsky – Food Service Director

## 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.

<p>Brazos ISD Central Administration Office  P. O. Box 819  227 Educator Lane  Wallis, Texas 77485  Phone (979) 478-6551  Fax (979) 478-2300</p>	<p>Brazos High School  Eric Cormier – Principal  P. O. Box 458  16621 Highway 36 South  Wallis, Texas 77485  Phone (979) 478-6000 or (888) 779-6832  Fax (979) 478-2300</p>
<p>Brazos Middle School  Clay Hudgins – Principal  P. O. Box 879  702 Educator Lane  Wallis, Texas 77485  Phone (979) 478-6814 or (888) 779-6814  Fax (979) 478-6053</p>	<p>Brazos Elementary School  _____ – Principal  P. O. Box 30  9814 Kibler Street  Orchard, Texas 77464  (979) 478-6610 or (888) 779-6610  Fax (979) 478-6039</p>

# Employment

## Equal Employment Opportunity

*Policies DAA, DIA*

In its efforts to promote nondiscrimination and as required by law, Brazos 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 the 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: Teresa Ressler, Special Programs Coordinator, 227 Educator Lane, Wallis, Texas, 77485, [tresser@brazosisd.net](mailto:tresser@brazosisd.net), 979-478-6070. 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: Teresa Ressler, Special Programs Coordinator, 227 Educator Lane, Wallis, Texas, 77485, [tresser@brazosisd.net](mailto:tresser@brazosisd.net), 979-478-6070.

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 website, Brazos ISD's central administration office and on each campus.

## **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 Website ([www.trs.texas.gov](http://www.trs.texas.gov)).

## **Contract and Noncontract Employment**

### *Policy DC series*

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

**Probationary Contracts.** Nurses and full-time professional employees new to the district and employed in positions requiring SBEC certification must receive 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 three school years (please refer to Brazos ISD's District of Innovation Plan).

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

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

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

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

## **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 Teresa Ressler in a timely manner. Employees licensed by the Texas Department of Licensing and Regulations (TDLR) must notify Scott Rogers when there is action against, or revocation of, their license.

A certified employee's contract may be voided without Chapter 21 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 Teresa Ressler 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 Courtney Marek if you have any questions regarding reverification of employment authorization.

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

*Policy CQ, DHE*

Noninvestigatory searches in the workplace including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the district reserves the right to

conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The district may search the employee, the employee's personal items, and work areas including district-owned technology resources, lockers, and private vehicles parked on district premises or work sites or used in district business.

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

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

All employees required to have a CDL or who otherwise are subject to alcohol and drug testing will receive a copy of the district's policy, the testing requirements, and detailed information on alcohol and drug abuse and the availability of assistance programs.

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact 979-478-6551.

## **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, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to Lisa Kanak within one week prior to the expiration date of their previous certification.

## **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 May 1<sup>st</sup>. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Superintendent's office and must be approved by the receiving supervisor.

## **Workload and Work Schedules**

*Policies DEAB, DK, DL*

The work day is not the same as the instructional day. Principals may set hours of work for employees that require you to be on duty before daily instruction begins and after daily instruction ends. The work day for employees is 7:30-4:00, unless otherwise instructed by supervisor.

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

Classroom teachers will have planning periods for instructional preparation 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. This notice is not required if parental notice under ESSA is sent. 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 Teresa Ressler at 979-478-6551.

## **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.

Upon receiving a report, a nursing review committee may review a nurse's nursing services, qualifications, and quality of patient care, as well as the merits of a complaint concerning a nurse, and a determination or recommendation regarding a complaint. A nurse may request, orally or in writing, a determination by the committee regarding conduct requested of the nurse believed to violate the nurse's duty to a patient.

## **Employee Involvement**

### *Policies BQA, BQB*

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

## **Staff Development**

### *Policy DMA*

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

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

# Compensation and Benefits

## 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 monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 18.)

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. Contract employees who perform extracurricular or supplemental duties may be paid a stipend in addition to their salary according to the district's extra-duty pay schedule.

Employees should contact Courtney Marek at 979-478-6551 for more information about the district's pay schedules or their own pay.

## Paychecks

All professional, salaried and hourly employees are paid monthly. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization.

The schedule of pay dates for the 2021-2022 school year follows:

<i>September 20, 2021</i>	<i>March 18, 2022</i>
<i>October 20, 2021</i>	<i>April 20, 2022</i>
<i>November 19, 2021</i>	<i>May 20, 2022</i>
<i>December 17, 2021</i>	<i>June 20, 2022</i>
<i>January 20, 2022</i>	<i>July 20, 2022</i>
<i>February 18, 2022</i>	<i>August 19, 2022</i>

## **Automatic Payroll Deposit**

Employees must have their paychecks electronically deposited into a designated account. Contact Courtney Marek at 979-478-6551 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 full-time employees
- Medicare tax (applicable only to employees hired 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 deposit in the area teacher's credit union. 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 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 12:00 AM Sunday and ends at 11:59 PM Saturday.

Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours.

Employees may be compensated for overtime (i.e., hours beyond 40 in a workweek) at time-and-a-half rate with compensatory time off (comp time) or direct 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 is 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.

## **Travel Expense Reimbursement**

### *Policy DEE*

Before any travel expenses are incurred by an employee, the employee's supervisor and superintendent must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. Employees must submit receipts, to the extent possible, to be reimbursed for allowable expenses other than mileage. Although not stated in policy, reimbursement for meals is limited to overnight travel.

## **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). \*Please note: After annual enrollment closes, benefit changes can only be made if you experience a qualifying event and changes must be made within 30 days of the event. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact Kim Clark at the Administration Office for more information.

## **Supplemental Insurance Benefits**

### *Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs. Premiums for these programs can be paid by payroll deduction. Employees should contact Courtney Marek 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 workers' compensation coverage from Claims Administrative Services currently in effect.

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 your principal or supervisor who will give you forms to complete. Completed forms have to be turned in within 10 days to Lisa Kanak. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, page 29 for information on use of paid leave for such absences.

## **Unemployment Compensation Insurance**

*Policy CRF*

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

## **Teacher Retirement**

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 Courtney Marek 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)). See page 20/21 for information on restrictions of employment of retirees in Texas public schools.

## **Teacher Retirement Service Awards**

Each district employee shall receive a service award at the end of each five years of service with the district. The awards shall be as follows:

<u>Years</u>	<u>Award</u>
5	pin, charm or tie-tac
10	plaque
15	desk set or \$50
20	diamond pin or \$75
25 and each 5 years thereafter	ring, watch, bracelet, necklace, tie clasp or \$200

\*\*no award given for 25 years or more of service shall have a cost of more than \$200

# Leaves and Absences

## *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 call Kim Clark for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the district.

Paid leave must be used in ½ day increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- Annual Local Leave
- Annual State Leave
- Accumulated Local Leave
- Accumulated State Leave

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate form or certification. Any unapproved absences or absences beyond accumulated or available paid leave shall result in deduction from the employee's pay during the pay period immediately following the missed absences.

**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 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 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 may be used in the same manner as state sick leave.

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

**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 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**

All employees shall earn five paid local leave days per school year in accordance with administrative regulations. Local leave shall accumulate to a maximum of 50 leave days.

Local leave shall be used according to the terms and conditions of state personal leave.

## **Vacation**

### *Policy DED*

Each employee serving on an at-will basis in a position normally requiring 12 months of service per year shall be granted ten paid vacation days annually. All vacation days shall be taken during the school year in which they are earned; any vacation days not taken prior to the first instructional day of the following school year shall be forfeited without compensation. All use of vacation days shall be scheduled with approval from the immediate supervisor and the Superintendent.

## **Family and Medical Leave Act (FMLA)—General Provisions**

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

### **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.

An eligible employee who is a covered service member’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 service member 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 FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA 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 FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

## **Eligibility Requirements**

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA 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.

## **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.

## **Enforcement**

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, 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 that provides greater family or medical leave rights.

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 Procedures for Implementing Family and Medical Leave Provisions**

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period beginning on the first duty day of the school year.

**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. When leave is taken for the employee's own serious health condition, the certification must address the employee's ability to perform essential job functions. 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. Fitness for duty is not required when an employee returns to work following leave to care for a family member with a serious health condition; to care for a child following birth, adoption, or foster care placement; or for qualifying exigency leave.

**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 Kim Clark 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, their immediate supervisor and central administration 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 immediate supervisor and central administration.

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

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

## **Jury Duty**

*Policies DEC, DG*

The district provides paid leave to employees who are summoned to jury duty. 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 orders 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 Courtney Marek. 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 Kim Clark for details on eligibility, requirements, and limitations.

# **Employee Relations and Communications**

## **Employee Recognition and Appreciation**

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings and through special events and activities. Recognition and appreciation activities also include Teacher Appreciation Week and End of the Year Employee Recognition and various activities throughout the year.

## **District Communications**

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

***Brazos ISD Website***

***Wallis News Review***

***Brazos Campus Facebook Pages***

***Fort Bend Herald***

***Sealy News***

# Complaints and Grievances

## *Policy DGBA*

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

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

<https://pol.tasb.org/Policy/Code/145?filter=DGBA>

# Employee Conduct and Welfare

## Standards of Conduct

### *Policy DH*

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines, 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*, page 68 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))

## **Enforceable Standards**

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

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

**Standard 1.2** The educator shall not 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 who 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 or minor.

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

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

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

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly or the educator attempted to conceal the communication;
- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (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.

## **Employee Dress Code**

Opinions of Brazos ISD and its schools are formed many times by the appearance and dress of the staff and students. Please be conscientious to maintain appropriate attire and grooming at all times. We are asking each staff member to dress professionally as you serve as a role model for students and should set a good example for them at all times. Professional dress reflects the

importance placed upon learning and the learning environment that we are striving to create for our students and staff.

#### Examples of Acceptable Dress:

1. Slacks/dress pants, coordinated pant suits, dress shirts, shirts, dresses, suits, ties, polo style and/or other collared shirts, non-faded colored jeans, including denim, and dress capris.
2. Positions that require all or most of their time to be spent in a shop, gym, field or other positions such as cafeteria, maintenance and custodians will allow some exceptions but proper attire will still be required in this positions: Leaving gym/field to return to class attire: Wind suits or wind pants with an appropriate shirt (no t-shirts) will be worn when leaving the gym or field for other duties or classes of short duration. Return to the types of wear above will be required if there are three or more class periods between a gym and athletic class.
  - a. Ag Shop: Jeans are allowed with appropriate shoes for safety in the shop. If all classes are in the classroom, wear such as above should be worn by the teacher.
  - b. Maintenance/Custodians: Uniforms or other clothing that is appropriate for the position with appropriate shoes. (No sandals or flip-flops) No shorts except when appropriate in the summer.
  - c. Cafeteria: Uniforms or other clothing that is appropriate for the position. (No sandals, flip-flops or shorts)
3. School spirit shirts, except for t-shirts and sweatshirts, can be worn on any day we have a school activity planned that your child or students may be participating in with appropriate other apparel for the day. Friday is designated school spirit day and is the only day that school spirit t-shirts, school spirit sweatshirts, or school colored shirts (red, black or white) with or without school logos) may be worn with blue jeans/blue jean capris (blue denim).
4. Body piercing, other than ears for female staff, is unacceptable for every staff member.
5. Tattoos must be covered with a non-distracting cover at all times in the school facilities when in the presence of students or at public events involving the school.
6. Staff attending field trips or other activities may dress according to the activity. This might include blue jeans, tennis shoes, wind suits, etc.
7. Males shall be well- groomed (in regards to hair, beards, mustaches, or sideburns, is defined as hair that is clean, neatly combed or brushed, and does not present a ragged or unkempt appearance)
8. Hair should be of a natural color and style. Colors should not be extreme. (No pink, orange, green, etc.)
9. Final approval of dress will reside with administration. If they deem your attire is inappropriate, they will ask you to go home and change the attire.

## **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 experience such prohibited conduct, should immediately report he 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 reprinted below:

<https://pol.tasb.org/Policy/Code/145?filter=DIA>

[https://pol.tasb.org/Policy/Download/145?filename=DIA\(XHIBIT\).pdf](https://pol.tasb.org/Policy/Download/145?filename=DIA(XHIBIT).pdf)

## **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 the 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 41 *Bullying*, page 71 for additional information.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below:

"Solicitation of a romantic relationship" means deliberate or repeated acts that can be reasonably interpreted as the solicitation by an educator of a relationship with a student that is romantic in nature. A romantic relationship is often characterized by a strong emotional or sexual attachment and/or patterns of exclusivity, but does not include appropriate educator-student relationships that arise out of legitimate contexts such as familial connections or longtime acquaintance. The following acts, considered in context, may constitute prima facie evidence of the solicitation by an educator of a romantic relationship with a student:

Behavior, gestures, expressions, or communications with a student that are unrelated to the educator's job duties and evidence a romantic intent or interest in the student, including statements of love, affection, or attraction. Factors that may be considered in determining the romantic intent of such communications or behavior include:

- The nature of the communications;
- The timing of the communications;
- The extent of the communications;
- Whether the communications were made openly or secretly;
- The extent that the educator attempts to conceal the communications;
- If the educator claims to be counseling a student, SBEC may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate authorities; and
- Any other evidence tending to show the context of the communications between educator and student.

For more information, please refer to policy FFH (LOCAL):

[https://pol.tasb.org/Policy/Download/145?filename=DIA\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/145?filename=DIA(LOCAL).pdf)

[https://pol.tasb.org/Policy/Download/145?filename=FFH\(XHIBIT\).pdf](https://pol.tasb.org/Policy/Download/145?filename=FFH(XHIBIT).pdf)

## **Reporting Suspected Child Abuse**

*Policies DG, FFG, GRA*

All employees are required by state law to report any suspected child abuse or neglect, as defined by Texas Family Code §261.001, 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 retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to 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 suspected child abuse 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 at [www.brazosisd.net](http://www.brazosisd.net). 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 reports of violations of law by the district to an appropriate law enforcement authority. The district is prohibited from suspending, terminating the employment of, or taking other adverse personnel action against, an employee who makes a report under the Act. State law also provides employees with the right to report a crime witnessed at the school to any peace officer with authority to investigate the crime.

### **Scope and Sequence**

#### *Policy CQ*

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, email 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 technology 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 district's 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 Eric Stuessel, Technology Director, at 979-478-6000.

## **Personal Use of Electronic Communications**

### *Policy CQ, DH*

Electronic communication includes all forms of social media, such as text messaging, instant messaging, electronic mail (email), 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 communication 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 email 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.

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

### *Policy DH*

A certified or licensed employee, or any other employee designated in writing by the superintendent 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, recreational, or religious organization. An employee who

claims an exception based on a social relationship shall provide written consent from the student's parent. The written consent shall include an acknowledgement by the parent that:

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

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

- *Electronic communication* 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.
- 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 10:00 PM and 8:00 AM. 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 [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 email, 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 the Texas Family Code

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*

Brazos 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 follows:

[https://pol.tasb.org/Policy/Download/145?filename=DH\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/145?filename=DH(LOCAL).pdf)

[https://pol.tasb.org/Policy/Download/145?filename=DHE\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/145?filename=DHE(LOCAL).pdf)

[https://pol.tasb.org/Policy/Download/145?filename=DHE\(XHIBIT\).pdf](https://pol.tasb.org/Policy/Download/145?filename=DHE(XHIBIT).pdf)

## **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 CY*

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

## **Associations and Political Activities**

### *Policy DGA*

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

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

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.

## **Charitable Contributions**

### *Policy DG*

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

## **Safety**

### *Policy CK 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 Superintendent Scott Rogers at 979-478-6551.

## **Possession of Firearms and Weapons**

*Policies DH LOCAL, 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 or call central administration at 979-478-6551 immediately.

## **Visitors in the Workplace**

*Policy GKC*

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

## **Brazos Independent School District Parent/Sex Offender Procedure**

The following procedures apply to any parent or legal guardian of a student who has been identified as a "child sex offender"<sup>1</sup> Any parent or legal guardian of a student will be required to comply with the following procedures upon visitation to campus or attendance at a school sponsored activity.<sup>2</sup> These procedures will be followed without exception. Failure of a parent or legal guardian of a student who has been identified as a "child sex offender" to comply with these procedures may result in that person losing the privilege to visit any of the BISD campuses or attend any school- sponsored activity at any location.

<sup>1</sup>For purposes of this procedure, "child sex offender" means any person who has been convicted, placed on deferred adjudication, or adjudicated delinquent for any type of sexual offense whatsoever against a child younger than 17 years of age or a student enrolled in a public or private secondary school, regardless of when the offense took place.

<sup>2</sup>Any other person who has been identified as a child sex offender will be prohibited from coming on any BISD campus or from attending any school-sponsored activity, notwithstanding these procedures.

### **For a parent or administrative conference the person will;**

a) call the campus principal and schedule a meeting prior to coming to school;

- b) report immediately to the office upon arriving at school;
- c) be escorted by a school employee the entire time he/she is on campus;
- d) have no access to any commons area of the building;
- e) have no access to any classroom where students other than his/her child are present;
- and
- f) be escorted back to their vehicle by a school employee at the conclusion of the visit.

**When dropping off or picking up a child to or from school the person will;**

- a) call the campus principal and schedule the time of drop off or pick up;
- b) pick up or drop off the child in the presence of the campus administrator or designee;
- and
- c) be escorted back to their vehicle by a school employee after the child has been picked up or dropped off.

**Prior to attending an after school or extra-curricular event the person will;**

- a) call the campus principal and state his/her intent to attend the event, no later than twenty-four hours prior to the start of the event;
- b) sign in at a place designated by the campus principal upon arrival at the event;
- c) sign out at a place designated by the campus principal prior to departing the event; and
- d) be escorted to his/her vehicle by a school employee at the time of the departure from the event.

**As an additional safety precaution, BISD may choose to post a picture of the “child sex offender” at the gate or entrance area of the extra-curricular event.**

**When picking up or dropping off a student at an extra-curricular activity, on or off school property, the person will;**

- a) contact the campus administrator and make arrangements for picking up or dropping off the student; and
- b) remain in the vehicle while waiting on the student.

**A parent/legal guardian who has been identified as a “child sex offender” is prohibited from transporting any student or child (other than his/her own) to or from any BISD campus or school-sponsored activity without express written permission from the parent or guardian of the student. Any person who has been identified as a “child sex offender” is also prohibited from working as a volunteer for the school district, including but not limited to volunteering for school-related activities such a booster clubs and class fund raisers.**

## **Asbestos Management Plan**

*Policy CKA*

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

## **Pest Control Treatment**

*Policies CLB, DI*

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

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located on campus and faculty bulletin boards. 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 from campus principals or facility managers upon request.

### **Integrated Pest Management Policy Statement Brazos I.S.D.**

#### **Pest Management Policy**

Structural and landscape pests and the pesticides used to control them can pose significant problems for people, property and the environment. The District shall incorporate Integrated Pest Management (IPM) procedures for control of structural and landscape pests.

#### **Pests**

Pests are populations of animals, plants or microorganisms that interfere with school use. Strategies for managing pest populations are determined by the pest species involved and the threat it poses to people, property or the environment. Integrated Pest Management (IPM) focuses on preventing or suppressing pest using tactics that minimize the impact of control activities on the health of humans and of other non-target organisms.

#### **Pest Management**

The District will appoint an IPM Coordinator to develop and implement a pest management program. Objectives of the IPM program will include:

1. Elimination of threats by pests to the health and safety of students, staff or the public.
2. Prevention of loss or damage by pests to school structures or property.
3. Protection of environmental quality inside and outside school buildings.
4. Enhancement of the quality of life for students, staff and the public.

### **Integrated Pest Management Procedures**

IPM procedures shall determine when to control pests and whether to use mechanical, physical, chemical, sanitation, horticultural or biological controls. IPM practitioners depend on current, comprehensive information about the pest, its environment and pest control methods. The intended goal of IPM principles is control of unacceptable levels of pest activity and damage using the most economical means while creating the fewest possible hazards for people, property and the environment.

IPM practitioners choose to use pesticides only after determining that no other control option is acceptable or feasible. This District will use IPM principles to manage pest populations, in every case considering the full range of alternatives, including taking no action. If pesticides must be used to meet pest management goals, the District will choose the least toxic material available and will comply with all federal, state and local laws and regulations governing pesticide storage, transportation and use.

### **Education**

Teachers, staff and administrators will be educated about potential pest problems and the IPM policies and procedures to be used to achieve the desired pest management objectives.

### **Record Keeping**

The District will maintain records of pesticide use on site to meet the requirements of the state regulatory agency and the school board. The District will verify treatment needs using pest sighting logs or other means to record numbers of pests or other population indicators.

### **Notification**

This District will notify the school staff and students of upcoming pesticide treatments by notices posted at schools and sent home to parents who wish to be informed in advance of pesticide applications.

### **Pesticide Storage and Purchase**

Pesticide will be stored and disposed of according to the EPA-registered label directions and state regulations. Pesticides will be stored in an appropriate, secure site not accessible to students or unauthorized personnel.

### **Pesticide Application**

Pesticide applicators must be educated about the principles and trained in the practices of IPM and in the use of pesticides approved by this District, and they must follow regulations and label precautions for pesticide use. Applicators should be certified and must comply with this District's IPM policy and pest management plan. Maintenance personnel who occasionally apply pesticides will be trained by the IPM coordinator according to incidental use regulations. Non-licensed personnel, including teachers, and principals, are not authorized to apply any types of pesticide or herbicide on school district policy. Should they do so, they will be considered in violation of the Texas Department of Agriculture IPM law and of school district policy.

**Receipt of this handbook in print or electronic form will be considered documentation of notice for all Brazos ISD personnel on the appropriate use of pesticides for pest management in the district.**

# General Procedures

## 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 website and notify the following radio and television stations:

Television stations:   KPRC – Channel 2                      KTRK – Channel 13  
                                  KHOU – Channel 11                     FOX – Channel 26

Website:                    [www.brazosisd.net](http://www.brazosisd.net)

## 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, lockout, 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 electronically in the TxEIS system for approval. 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 Kim Clark for additional information on purchasing procedures.

# Activity Funds

## *Policy CFD*

### **Preface**

Students, teachers, principals, and other parties involved in the handling of Student Activity Funds should become knowledgeable of the instructions prescribed in this handbook.

### **1.0 General Information**

#### **1.1 Definition and Purpose of Activity Funds:**

The Activity Funds are defined as funds consisting of resources received and held by the school, as trustee, to be expended or invested in accordance with conditions of the trust. Specifically, they are funds accumulated from the collection of student fees and various school-approved money-raising activities. All funds raised by student organizations must be expended for the benefit of the students. These funds are used to promote the general welfare, the educational development, and morale of all students who are currently enrolled in Brazos ISD.

#### **1.2 Establishment of Activity Fund Accounts:**

Activity Fund Accounts may be established by a school group, club, or organization, which collects and dispenses money. Prior approval must be obtained from the school administration before establishing the activity fund account.

#### **1.3 Responsibility for Activity Funds**

The sponsor of the group, club, or organization having Activity Funds is personally responsible for the proper collection, disbursement, and control of all Activity Funds. The Sponsor is directly responsible to the school principal that in turn is responsible to the superintendent in all matters. A specific sponsor for each organization should be designated each year to be responsible for collection of revenues and authorization of expenditures. That sponsor will be required to keep current a revenue and expenditure sheet showing a current balance. Each campus person assigned to oversee their activity accounts should receive a monthly statement from the designated person on their campus who has access to TxEIS. The responsibility of the sponsor includes providing for the safekeeping of funds. Monies collected are to be deposited the next working day. If this is not possible, arrangements should be made with the principal or Business office for safekeeping of the monies. Under no circumstances should monies be kept in the classroom and NEVER taken home.

## 1.4 Annual Audit and Record Keeping

The Activity Fund audit will be included in the annual school audit conducted by a certified public accountant. In addition, all records should be kept current and in good order and available for special audits at any time. These special audits will be conducted as needed.

## 1.5 Petty Cash Accounts

A copy of the Petty Cash Statement for each campus will be sent the superintendent's secretary at the Business office each month. The balance for the petty cash account will be set at \$100 dollars. This account will only be used for postage, certified letters and UPS charges. Reimbursements from the general fund will be requested on a monthly basis for the petty cash account in order to maintain the set balance.. Remember no deposits to this account except for the reimbursement checks from the general fund.

## 2.0 Basic Records

### 2.1 Enumeration of Basic Records

#### 2.1.1 Activity Fund Cash/Check Deposits

These deposits are the means to accurately record cash/checks received. The deposit should indicate the name of the activity account, the nature of the activity generating the deposit, i.e., concession stand, candy sales, fundraiser, etc. **Only one activity account is allowed per deposit slip.** Checks deposited to the activity accounts must be endorsed on the back of the check with "BISD Activity Fund", "Name of the Activity Fund" (Ex. FFA, BHS Sports, BMS Athletics etc.), "For Deposit only" and the account # 9000054. Deposits are to be done in triplicate, the white and yellow copies are taken to the bank with the deposit and left, (white is the banks, pink and yellow are the schools) make a copy of the deposit for yourself and send the pink copy to the Business office as soon as the deposit is made. Business office picks up the bags from the bank and verifies deposit was made and sends you one of the deposit slip with corrections if applicable.

#### 2.1.2 Activity Fund Check Request

Check request forms are the authority for the issuance of a check drawn on the Activity Fund and provide support to substantiate each bank withdrawal. Check request forms may be obtained from the principal's office or in the employee handbook. All check requests must be properly filled out or they will be returned.

### 2.1.3 Transfer of monies

Transfer forms are the authority to transfer funds from one activity account to another. Transfer of Funds Request Form may be found on the District website.

## 2.2 Retention of Records

All Activity Fund records must be kept on file in the Business office for at least five years. Individual activity fund records kept by the student organization must be retained by the group sponsor until the completion of the yearly school audit.

## 3.0 General Operating Procedures for Activity Accounts

### 3.1 Receipt of Cash

3.1.1 All cash collections shall be counted in the presence of at least two people, i.e. the Sponsor and class treasurer, and should be done immediately upon closing of the activity or collection. For example, concession stand monies should be counted on the premises immediately after the closing of the concession stand and a count records made at that time.

3.1.2 All cash collected should be deposited with the principal's office each day so that a bank deposit can be made by that office.

3.1.3 Returned checks will be collected by the organization which received the check. Upon collecting the amount of the check, the money will be redeposited.

### 3.2 Issuing Checks

3.2.1 All checks will be written by the Business office.

3.2.2 A check request form (available in the principal's office, on the District website or in the employee handbook) signed by the sponsor and Principal must be completed for each check. The Business office will not write checks without proper authorization. Original invoices or other supporting documents must accompany the completed check request form. NO check will be written if the account has a deficit balance. **\*\*Important: Requesting meal money: A list of students with their signatures indicating that they received the money must be sent to the superintendent's secretary within two days of the expenditure.**

3.2.3 Upon receipt of the check request and accompanying support documents, the Business office will prepare the check. Allow for two or three day turn around.

3.2.4 Sponsors wishing to have a check prepared should submit requests at least two or three days ahead of time when possible.

3.2.5 The completed and signed check will then be mailed or returned to the sponsor as per instructions on check request form.

3.2.6 The check request should be complete in every detail, including an address. Payment must always be made to a specific person, company, or organization. Checks shall not be made payable to "Cash."

### 3.3 Reimbursements

Checks may be issued to students or employees to reimburse them for personal funds expended for school purposes except for sales tax, provided that proper documentation is submitted in support of the expenditure. Reimbursements should be kept to a minimum as a safeguard against unauthorized purchases by individuals. Check request must be prepared on the proper form with proper support to substantiate the request. Checks may sometimes be requested for necessary expenses expected to be incurred by groups engaged in out of town travel. This applies to travel budgeted in the general budget.

3.3.1 The check request form will indicate this is an advance payment with an indication of how it will be spent.

3.3.2 At the completion of the activity, the sponsor shall immediately transmit to the Business office all invoices, sales slips, etc. supporting the actual amount of expenses and shall return any unused funds. A listing of sponsors and students should be a part of the supporting documentation.

## 4.0 Purchasing Requirements

4.1 Purchases are made at the discretion of the club sponsor with principal approval. However, the following disbursements are not permitted:

4.1.1 Medical or hospital expense

4.1.2 Loan to employees, parents, students, or any other individual

4.1.3 Individual professional dues

4.1.4 Membership to private clubs

4.1.5 Donation or contributions except those specifically approved by the administration

4.1.6 Staff development trips for campus administrators

4.1.7 Advertisements in periodicals, yearbooks, etc.

- 4.1.8 Alcoholic beverages, controlled substances, firearms
- 4.1.9 Auto repairs
- 4.1.10 Traffic citations
- 4.1.11 Stipends or monetary awards to employees
- 4.1.12 Purchases from any district employee
- 4.1.13 Articles for personal use by district employees
- 4.1.14 Gifts/flowers to teachers, employees, sponsors, and non-students without prior approval by the administration

#### 4.2 Equipment Purchases

Purchases of equipment are considered as fixed assets and become the property of the school district. Sponsors should obtain competitive prices from a minimum of three suppliers. The equipment should be requisitioned by request for a purchase order and approval by the administration. Estimates or prices should be attached to the requisition.

### 5.0 Sales Tax

5.1 All sales by the school to teachers, students and other persons are taxable with the exemption of vending machine sales, admission tickets, fees, raffle tickets, and meals and food products (including soft drinks and candy). Tax forms may be picked up from the central office or found in the employee handbook.

### 6.0 Money Raising Activities

#### 6.1 Definition of Money-Raising Activities

A money raising activity may be defined as any activity involving participation of a student body of a school recognized student group undertaken for the purpose of deriving funds for a school sponsored group. Money-raising activities are not confined to regular school hours but are considered an extension of the school program.

#### 6.2 Approvals Required – Fund Raising Guidelines

6.2.1 Each class, club, or organization will be limited to two pre-approved fundraisers annually. Special consideration will be given to special events, such as Prom, to extend fundraisers to no more than four annually.

6.2.2 Fund Raising activities must be pre-approved at least two weeks in advance with a written and signed request submitted to the appropriate campus administrator who has students participating in the fund raising activity.

6.2.3 Non-school clubs or organizations (booster clubs, alumni associations, PTOs, etc.) cannot use students or teachers in any manner in any activity related to the raising or solicitation of funds during school hours. The limitation on the number of fundraisers does not apply to these groups; however, the use of school facilities for fund raising activities must be requested and approved by campus or district administration prior to the activity.

6.2.4 Students may voluntarily participate in the fund raising activities of non-school clubs or organizations after school hours. No student may be required or coerced to participate in non-school club or organization fund-raising activities.

6.2.5 Students must be notified in writing if it is necessary for them to participate in non-school club or organization activities if they wish to benefit individually in the benefits or rewards of the fund raising activity.

6.2.6 No individual or group may participate in fund raising activities or solicit donations in the name of the school district, campus, or school related club or organization without prior approval of the appropriate district or campus administrator.

## **7.0 Other Policies**

7.1 Dormant or Inactive Accounts, such as Senior Class of (year), shall become dormant upon the date of graduation of that particular class, unless specific written and approved arrangements are made with the administration prior to the graduation date. Dormant accounts will be divided between the Junior and Senior class accounts.

7.2 Interest earned: All deposits are made into one interest-bearing checking account.

7.3 General Activity Account: Interest earned and transfers of dormant accounts are put into the General Activity Account. Any revenue deposited into this account is the proceeds of student activity generated monies. Expenditures from this account must be for the benefit of the whole student body. A club sponsor may make a recommendation for expenditure, but it must be approved by the principal and superintendent.

7.4 Other Bank Accounts: No school sponsored student organization may have its own and separate bank account. All monies must be receipted and expended through the Student Activity Fund.

7.5 Bank Reconciliation: The bank statement is received in the Business office and it is reconciled by a third party, who does not collect, receipt or disburse funds.

7.6 Monthly Posting: The Business office will post monthly and after completion an email will be sent to the person(s) in charge of maintaining the campus activity accounts requesting that they be reviewed and a copy given to each sponsor of their activity account. The person in charge of activity accounts will then reply with an email stating they have reviewed and given each sponsor a copy of their activity account.

7.7 Personal Checks: No sponsor or student shall cash a personal check out of the student organization change.

7.8 Entry Fees: All entry fees require an invoice and backup which lists the cost and number of students entered and their names.

7.9 Postings will be entered/completed daily.

7.10 Sponsors will be provided with a spreadsheet to help track their account. The sponsors will reconcile their accounts monthly.

## **Name and Address Changes**

It is important that employment records be kept up to date. Employees must notify Courtney Marek or Lisa Kanak at central office 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 district website.

## **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 email 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 Lisa Kanak. 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 under law applies. An employee is responsible for notifying the district if her 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 after school hours must follow established procedures. The Superintendent is responsible for scheduling the use of facilities after school hours. Contact Scott Rogers at 979-478-6551 to request to use school facilities and to obtain information on the fees charged.

# Termination of Employment

## Resignations

*Policy DFE, DHB*

**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 the appropriate campus administrator and superintendent's office. 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 68. The superintendent will notify SBEC when an employee resigns and there is evidence to indicate that the employee has engaged in such misconduct.

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

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, DHB*

Employees on probationary, term, and continuing 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.

The principal is required to notify the superintendent of an educator's termination within seven business days following an alleged incident of misconduct for any of the acts listed in Reports to Texas Education Agency on page 68. The superintendent will notify SBEC when an employee is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

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 policies that are provided to employees or are available online.

## **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, gender, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and Grievances*, page 33.)

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 of 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.

## **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 or 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 or engaged in conduct violating the assessment security procedures established under TEC §39.0301. "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**

### **Equal Educational Opportunities**

*Policies FB, FFH*

In an effort to promote nondiscrimination and as required by law, Brazos ISD does not discriminate on the basis of race, color, religion, national origin, 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 Teresa Ressler at 979-478-6551.

### **Student Records**

*Policy FL*

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

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

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal or counselor 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 district. 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 signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

## **Bullying**

*Policy FFI*

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

[https://pol.tasb.org/Policy/Download/145?filename=FFI\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/145?filename=FFI(LOCAL).pdf)

## **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.

## **Computer/Network/Internet Acceptable Use Guidelines**

For the 2020-2021 School Year

Network/Internet access is available to students, teachers and staff in Brazos ISD. The Internet is a network connecting millions of computer users all over the world. The Internet enables worldwide connection to electronic mail, discussion groups, databases, software, and other information sources, such as libraries and museums. Brazos ISD provides Network/Internet access to promote educational excellence in the district by facilitating resource sharing, innovation, and communication. Brazos ISD firmly believes that the valuable information and interaction available on the Network/Internet far outweighs the possibility that users may procure material that is not consistent with the educational goals of the District.

**Mandatory Orientation.** To educate users on proper Network/Internet use and conduct, a mandatory orientation session required at the beginning of each school year.

**Definition of District Technology Resources.** The district’s computer systems and networks are any configuration of hardware and software. The systems and networks include all of the computer hardware, operating system software, application software, stored text, and data files. This includes electronic mail, local databases, externally accessed databases (such as the Internet), CD-ROM, optical media clip art, digital images, digitized information, communications technologies, and new technologies as they become available.

### **Availability of Access**

**Acceptable Use.** Network/Internet access will be used to improve learning and teaching consistent with the educational goals of Brazos ISD. The District requires legal, ethical and appropriate use of the Network/Internet.

**Privilege.** Access to the Brazos ISD Network/Internet is a privilege, not a right.

**Access to network/Internet.** Network/Internet access is provided to all Brazos ISD teachers and staff. Students may be allowed to use the local network with campus permission, but may only use the Internet with parent permission. Student Internet access will be under the direction and guidance of a Brazos ISD teacher or staff member.

Access to the District's electronic communications system, including the Internet, shall be made to students and employees primarily for instructional and administrative purposes and in accordance with administrative regulations. Any system user identified as a security risk or having violated District Acceptable Use Guidelines may be denied access to the District's system. Other consequences may also be assigned.

**Subject to Monitoring.** All Brazos ISD Network/Internet usage shall not be considered confidential and is subject to monitoring by designated staff at any time to ensure appropriate use.

**User Responsibilities.** Network/Internet users, like traditional library users, are responsible for their actions in accessing available resources.

1. Users with accounts will be required to maintain password confidentiality by not sharing the password with others.
2. Users are expected to use appropriate language: swearing, vulgarity, ethnic or racial slurs, and any other inflammatory languages are prohibited.
3. Revealing such personal information as addresses or phone numbers of users or others is prohibited.
4. System users are asked to purge electronic mail or outdated files on a regular basis.
5. System users are responsible for making sure they do not violate any copyright laws.
6. Users are to notify the appropriate supervisor or district designee if they should encounter any material or electronic communication that is inappropriate.

**Student Responsibilities.** Brazos ISD students are bound by all portions of the Brazos ISD Computer/Network/Internet Acceptable Use Guidelines.

**Campus Level Responsibilities.** The principal or designee will:

1. Be responsible for disseminating and enforcing the district Acceptable use Guidelines for the District's system at the campus level.
2. Ensure that employees supervising students who use the District's systems provide information emphasizing the appropriate and ethical use of this resource.

## **Inappropriate Use**

Inappropriate use includes, but is not limited to, those uses that violate the law, that are specifically named as violations in this document, that violate the rules of network etiquette, or that hamper the integrity or security of this or any components that connected to the Network/Internet. The following actions are considered inappropriate uses and are prohibited:

**Violations of Law.** Transmission of any material in violation of any US or state law is prohibited. This includes, but is not limited to: copyrighted material; threatening, harassing, or obscene material; or material protected by trade secret. Any attempt to break the law through the use of a Brazos ISD Network/Internet account may result in litigation against the offender by the proper authorities. If such an event should occur, Brazos ISD will fully comply with the authorities to provide any information necessary for the litigation process.

**Modification of Computer.** Modifying or changing computer settings and/or internal or external configurations without appropriate permission is prohibited.

**Commercial Use.** Use for the purpose of product advertisement, commercial, income- generating or “for-profit” activities is prohibited.

**Vandalism/Mischief.** Any malicious attempt to harm or destroy District equipment or materials, data of another user of the District’s system, or any of the agencies or other networks to which the District has access is prohibited. Deliberate attempts to degrade or disrupt system performance may be viewed as violations of district guidelines and, possibly, as criminal activity under applicable state and federal laws, including the Texas penal code, computer Crimes, chapter 33. This includes, but is not limited to, the uploading or creating of computer viruses. Vandalism as defined above will result in the cancellation of system use privileges, possible prosecution, and will require restitution for costs associated with system restoration, hardware, or software costs.

**Electronic Mail Violations.** Forgery of electronic mail messages is prohibited. Reading, deleting, copying, or modifying the electronic mail of other users, without their permission is prohibited. Sending unsolicited junk mail, chain letters, political lobbying, transmitting obscene messages or pictures is prohibited.

**File/Data Violations.** Deleting, examining, copying, or modifying files and/or data belonging to other users, without their permission are prohibited.

**Copyright Violations.** Downloading or using copyrighted information without following approved Brazos ISD procedures is prohibited.

**System Interference/Alteration.** Deliberate attempts to exceed, evade or change resource quotas are prohibited. The deliberate causing of network congestion through mass consumption of system resources is prohibited.

**Consequences of Agreement Violation.** Any attempt to violate the provisions of this agreement may result in revocation of the user’s access to the Network/Internet, regardless of the success or failure of the attempt is prohibited. In addition, school disciplinary action and/or appropriate legal action may be taken.

**Denial, Revocation, or Suspension of Access Privileges.** With just cause, the system Administrator and/or building principal, may deny, revoke, or suspend Network/Internet access as required, pending an investigation.

**Social Networking.** Access to public social networking sites using district technology resources is strictly prohibited. Both staff and students are to refrain from access during school hours even if they possess the personal technology to do so. Access to social networking within the Texas Gateway environment will be subject to district monitoring. Staff and students must be aware that postings on personal websites and social networks on the open Internet are not private. Student postings that violate the rights of other students and staff will be addressed in the school environment. Staff postings that violate the rights of others and the professional code of ethics will be addressed by the District.

**Sexting.** Any inappropriate pictures or texting by students or staff will not be tolerated. Any texting or pictures that would be a violation of law, board policy, the student code of conduct, student handbook, employees’ handbook, or code of ethics may result in disciplinary actions which may include expulsion for students and termination for staff depending on the seriousness of the offense as determined by school administration.

Individuals who initiate the texting or pictures will be held liable for the initiation of the text or picture. Those responsible for forwarding any inappropriate picture or text will be held to a higher level of responsibility and disciplinary actions by the District.

**Harassment/Cyberbullying.** Any action by students or staff that would meet the definition of harassment or bullying using a technological device will be addressed in the same manner as verbal and physical harassment/bullying as identified in the student code of conduct or employee handbook. As in all matters, the student code of conduct, board policy, profession code of ethics, and employee handbook will be considered in whether disciplinary and/or employment consequences will be considered against a student or staff member.

## **Security**

**Reporting Security Problem.** If knowledge of inappropriate material or a security problem on the Network/Internet is identified, the user should immediately notify his/her supervisor. The security problem should not be shared with others.

**Impersonation.** Attempts to log on to the Network/Internet impersonating a system administrator or Brazos ISD employee, will result in revocation of the user's access to Network/Internet.

**Personal Technological Devices (Outside Devices).** Any personal or outside technological device or devices used to access the Brazos ISD Network without written permission from the Superintendent may result in disciplinary and/or employment consequences against a student or staff member.

**Other Security Risks.** Any user identified as having had access privileges revoked or denied on another computer system may be denied access to the Brazos ISD Network/Internet.

## **Warning**

Sites accessible via the Network/Internet may contain material that is illegal, defamatory, inaccurate or controversial. Brazos ISD makes every effort to limit access to objectionable material; however, controlling all such materials on the Network/Internet is impossible. With global access to computers and people, a risk exists that students may access material that may not be of educational value in the school setting. The Brazos Internet connection is the only system to be used in schools. No commercial internet accounts may be used.

## **Disclaimer**

This agreement applies to stand-alone computers as well as computers connected to the Network/Internet. Brazos ISD shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions, users' mistakes or negligence, or costs incurred by users. Brazos ISD shall not be responsible for ensuring the accuracy or usability of any information found on the internet.

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