



## **Friendswood Independent School District**

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# **EMPLOYEE HANDBOOK 2021-2022**

**Last Annual Update: August 2021**

If you have difficulty accessing the information in this handbook, please email Hope Coburn at [hcoburn@fisd12.net](mailto:hcoburn@fisd12.net).

Friendswood ISD  
Receipt of Access Information  
For  
Employee Handbook

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I hereby acknowledge receipt of instructions (see below) on how to access the Friendswood Independent Schools District Employee Handbook. I agree to read and abide by the standards, policies, and procedures defined or referenced in the Friendswood Independent School District Employee Handbook. I have read and understand the aforementioned requirements.

The information in this handbook is subject to change as situations warrant, and I understand that changes in the policies may supersede, modify, or eliminate the policies summarized in this booklet. 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 and the Human Resources Department of any changes in personal information, such as phone number, address, etc. I also accept responsibility for contacting my supervisor or the Human Resources Department if I have any questions or concerns and need further explanation.

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Employee Name

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Employee Signature

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Campus/Department

---

Date

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**ACCESS TO EMPLOYEE HANDBOOK**

1. Go to our district website: [myfisd.com](http://myfisd.com)
2. Click Departments
3. Click Human Resources
4. Scroll to Employee Handbook and select link

\*To receive a hard copy of the Employee Handbook please contact Susan Pulido at [spulido@fisdk12.net](mailto:spulido@fisdk12.net).

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## **INTRODUCTION**

The quality reputation of the Friendswood Independent School District is one important reason families are attracted to this community. The harmonious relationship existing between the school district and the community, and the quality of FISD staff are two factors that ensure our tradition of high student achievement. Student success is the district's number one goal. In order to continue the tradition of exemplary student performance, it is essential that all employees be aware of the district's policies and procedures. This handbook is intended to summarize the major topics addressed in the Board Policy Manual and explain selected administrative procedures of the Friendswood Independent School District. The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Suggestions for additions and improvements to this handbook are welcome and may be sent to Lindsey Foley, Executive Director of Human Resources.

The Friendswood Independent School District Employee 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 and a brief explanation of district policies and procedures related to employment. Not all district policies and procedures are included. Those that are have been summarized. These policies can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. The Board Policy Manual should be consulted as the official source of information. District policies can be accessed online at [www.myfisd.com](http://www.myfisd.com).

Additional specific information for the departments of Food Service, Custodial, Maintenance, and Transportation may be provided to auxiliary staff under separate cover.

This Employee Handbook can never replace personal communications related to personnel or policy issues. Please feel free to contact your supervisor or the Human Resources Department in the Administration Building with any questions.

## OUR BELIEFS

1. That learning is meaningful, relevant and ever-evolving which motivates students, educators, parents, and community members to be lifelong learners.
2. Students learn best and succeed in a space where they feel heard, seen and connected.
3. Student-teacher relationships are key to student success.
4. Education has a responsibility to value and support all students' dreams and aspirations.
5. Learning is unique to an individual's passions and needs.
6. Public education provides well rounded educational opportunities for all.
7. Communication, collaboration and real-world connections lead to profound learning.
8. Interpersonal relationships and connections are vital to the learning of and the development of civility and respect.
9. Education for the future provides for the ability to learn and problem solve.
10. Every student has a right to a safe learning environment.
11. Relevant, authentic, engaged learning provides the best opportunity for true growth.
12. A well-rounded student is the product of academic, social, and emotional learning.
13. A quality education creates a bridge for all students to become independent contributing adults.

## OUR GOALS

- GOAL 1** We will develop a district-wide system that establishes a culture of community service for all students.
- GOAL 2** We will redefine the measure of student success based on our beliefs and call to action.
- GOAL 3** We will provide professional learning that is aligned to our beliefs and call to action.
- GOAL 4** We will partner with the community to actively create and foster a learning environment dedicated to real-world instruction and experiences.
- GOAL 5** We will strategically allocate resources for facilities that promote authentic learning experiences and real-world opportunities.
- GOAL 6** All students will be engaged in authentic learning experiences in and beyond the classroom.
- GOAL 7** We will develop initiatives that promote strong character traits, emotional maturity, and social well-being for each child.



### *Our Call to Action*

THROUGH AUTHENTIC  
EXPERIENCES AND  
RELATIONSHIPS, FISD  
WILL GRADUATE  
CONFIDENT LEARNERS  
EQUIPPED WITH THE  
KNOWLEDGE, SKILLS,  
AND CHARACTER TO  
THRIVE IN AND  
CONTRIBUTE TO A  
GLOBAL SOCIETY.

## **Character Education K-12 in Friendswood Independent School District**

Character education has been an important program in Friendswood schools for many years. In 1987, community representatives cooperatively identified a group of character traits, or values, which are held in common by all members of the Friendswood community. The Board of Education directed that those values be emphasized in FISD school and integrated into the instructional program whenever appropriate. Ethics Education in our schools is encouraged in order to foster the following results for students:

1. Raise self-esteem
2. Promote self discipline and responsible behavior
3. Improve decision-making and problem-solving skills
4. Instill positive attitudes and values

It is not the District's intent to teach or to give religious instruction of any kind, nor to implement "values clarification", nor to be limited by any partisan bias that does not reflect the values of the majority of this community. Each person's individual right to privacy will be respected at all times.

The community has chosen these values held common in our community and that need to be emphasized in the schools.

### **Self-Esteem. Self-Worth. Self-Reliance. Dignity**

Believing in yourself  
Realizing that you are a worthy person  
Acting consistently with your values and beliefs  
Keeping your mind and body sound

### **Responsibility. Accountability. Dependability**

Exhibiting self-discipline  
Recognizing that choices have natural consequences  
Being accountable for your personal actions  
Acting independently in a trusted, efficient manner  
Honoring commitments

### **Tolerance**

Respecting diversity  
Being willing to listen  
Recognizing and respecting the opinions and practices of others without necessarily agreeing with them  
Refusing to discriminate against others because of their race, religion, sex, or age

### **Work Ethic. Doing One's Best. Ambition**

Trying to live up to your full potential  
Setting goals and striving to achieve them  
Feeling satisfaction with a job well done  
Seeking knowledge  
Being enthusiastic and optimistic

### **Honesty. Integrity. Truthfulness**

Being truthful to yourself and others  
Keeping your word  
Knowing your beliefs  
Standing up for your convictions  
Refusing to cheat

**Compassion, Empathy, Forgiveness**

Being unselfish  
Sharing  
Participating in service projects  
Recognizing the needs of others and offering to help  
Showing mercy  
Refraining from ridicule and gossip  
Refusing to discriminate against others because of their race, religion, or age

**Respect for Others**

Respecting the rights and property of others  
Refraining from stealing and vandalizing  
Using good manners and exhibiting courtesy

**Justice**

Supporting what is right  
Defending the rights of yourself and others  
Obeying rules and laws  
Respecting authority  
Being fair

**Loyalty**

Being faithful to and offering support for others  
Supporting your school, your community, and your country  
Being faithful to a cause or ideal

**Patriotism**

Loving freedom and your country  
Supporting your country and governmental bodies  
Knowing about laws, issues, due process  
Participating actively in the Democratic Process

**FISD has adopted the Six Pillars of Character from Character Counts:**

Trustworthiness

Respect

Responsibility

Fairness

Caring

Citizenship



## **BOARD OF TRUSTEES**

*See Board Policies BA, Series BB, BD and BE*

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 biennially and serve four-year terms. Board members serve without compensation, must be qualified voters and must reside in the district.

Written notices of meetings will be posted at the Administration Building 72 hours before the scheduled meeting. In emergencies, a meeting may be held with one hour notice. All meetings are open to the public. In certain circumstances, Texas law permits the board to go to a closed session from which the public and others are excluded. Closed session may occur for such things as, but not limited to, discussing certain personnel matters including employee complaints, security matters, student discipline, or consulting with attorneys regarding pending legislation.

Board Meeting Schedule: Second Monday of each month  
Location: FISD Annex Building, 402 Laurel Dr.  
Board Room  
Time: 5:45 p.m.

Current Board Members include:

Tony Hopkins, President  
David Montz, D.D.S., Vice-President  
Rebecca Hillenburg, Ed.D., Secretary  
Ralph Hobratschk  
Robert McCabe  
Niki Rhodes  
Laura Seifert

## **DISTRICT CONTACTS**

Thad Roher, Superintendent  
Lauren Ambeau, Assistant Superintendent

## **DEPARTMENTS**

### **BENEFITS/WORKER'S COMPENSATION/LEAVE COORDINATOR**

Kimberly Kempken, Benefits Coordinator  
302 Laurel Drive  
Friendswood, TX 77546  
281-482-1267

### **BUSINESS**

Amber Petree, Chief Financial Officer  
302 Laurel Drive  
Friendswood, TX 77546  
281-482-1267

### **CURRICULUM AND INSTRUCTION**

Lauren Ambeau, Assistant Superintendent of Teaching and Learning  
Kim Cole, Executive Director of Secondary Teaching & Learning  
302 Laurel Drive  
Friendswood, TX 77546  
281-482-1267

### **FOOD SERVICE**

David Moynihan, Director of Food Service  
402 Laurel Drive  
Friendswood, TX 77546  
281-996-2596

### **HUMAN RESOURCES**

Lindsey Foley, Executive Director of Human Resources  
302 Laurel Drive  
Friendswood, TX 77546  
281-482-1267

### **MAINTENANCE AND CUSTODIAL**

Erich Kreiter, Executive Director of Maintenance and Bond Projects  
Mari Castellanos, Custodial Director  
Jimmy Jones, Director of Maintenance and Operations  
400 Woodlawn  
Friendswood, TX 77546  
281-482-2744/2504 – Maintenance  
281-996-2582/2583 – Custodial

### **SAFETY AND OPERATIONS**

JT Patton, Executive Director of Safety and Operations  
302 Laurel Drive  
Friendswood, TX 77546  
281-482-1267

### **PAYROLL**

Linda Haddock, Payroll Coordinator  
302 Laurel Drive  
Friendswood, TX 77546  
281-482-1267

## **PRINT SHOP**

Jaclyn King, Supervisor  
400 Woodlawn  
Friendswood, TX 77546  
281-482-2696

## **PUBLIC INFORMATION**

Dayna Owen, Communications Director  
302 Laurel Drive  
Friendswood, TX 77546  
281-482-1267

## **PURCHASING**

Carol Blain, Purchasing Coordinator  
302 Laurel Drive  
Friendswood, TX 77546  
281-482-1267

## **SPECIAL EDUCATION**

Dahria Driskell, Executive Director of Special Education  
402 Laurel Drive  
Friendswood, TX 77546  
281-482-0687

## **STUDENT OPERATIONS**

Dr. Stacy Guzzetta, Executive Director of Student Operations  
302 Laurel Drive  
Friendswood, TX 77546  
281-482-1267

## **TAX OFFICE**

Kim Patterson, Tax Assessor-Collector  
402 Laurel Drive  
Friendswood, TX 77546  
281-482-1198

## **TECHNOLOGY SERVICES**

Tonia Meadows, Executive Director of Technology  
402 Laurel Drive  
Friendswood, TX 77546  
281-482-1621

## **TRANSPORTATION**

Dean Lewis, Director of Transportation  
400 Woodlawn  
Friendswood, TX 77546  
281-482-6025

## **CAMPUS ADMINISTRATION**

### **CLINE ELEMENTARY K-3**

Barry Clifford, Principal  
Julianne McCarty, Assistant Principal

505 Briarmeadow 77546  
281-482-1201

### **WESTWOOD ELEMENTARY K-2**

Kristin Moffitt, Principal  
Lee Whitlock, Assistant Principal

506 West Edgewood  
Friendswood, TX 77546  
281-482-3341

### **BALES INTERMEDIATE 3-5**

Ryan Kopp, Principal  
Emily Stanley, Assistant Principal

211 Stadium Drive  
Friendswood, TX 77546  
281-482-8255

### **WINDSONG INTERMEDIATE 3-5**

Wendy McAshlan, Principal  
Kimberly Hill, Assistant Principal

2100 W. Parkwood  
Friendswood, TX 77546  
281-482-0111

### **FRIENDSWOOD JUNIOR HIGH 6-8**

Dana Drew, Principal  
Tammy Bock, Associate Principal  
Fletcher Weston, Assistant Principal  
Nicole Ferro, Assistant Principal  
Christina Holt, Assistant Principal-6<sup>th</sup> Grade Center

1000 Manison Parkway  
Friendswood, TX 77546  
281-996-6200

### **FRIENDSWOOD HIGH SCHOOL 9-12**

Mark Griffon, Principal  
Nancy Lockhart, Associate Principal  
Ashley Birmingham, Assistant Principal  
Chad Jones, Assistant Principal  
Delaney Lyon, Assistant Principal  
Glen Newsom, Assistant Principal  
Paul Tucker, Assistant Principal  
Susan Kirkpatrick, Director of Career and Technical Education

702 Greenbriar  
Friendswood, TX 77546  
281-482-3413

# **EMPLOYMENT**

## **EQUAL OPPORTUNITY EMPLOYMENT** *Policy DAA, DIA*

In its efforts to promote nondiscrimination and as required by law, Friendswood 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 any other basis prohibited by law. Additionally, the district does not discriminate against any employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to a discriminatory employment practice. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

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

The district designates and authorizes the following employee as the Title IX coordinator for employees to address concerns or inquiries regarding discrimination based on sex, including harassment:

Name: Lindsey Foley  
Position: Executive Director of Human Resources  
Title IX Coordinator  
Address: 302 Laurel Drive, Friendswood, TX 77546  
Phone: 281-482-1267

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 concerns regarding discrimination on the basis of a disability:

Name: Dahria Driskell  
Position: Executive Director of Special Education  
ADA/Section 504 Coordinator  
Address: 402 Laurel Drive, Friendswood, TX 77546  
Phone: 281-482-0687

## **ANNOUNCING VACANCIES** *Policy DC*

Announcements of job vacancies, by position and location, are posted on a regular basis to the district's website at AND under the Human Resources Department.

## **EMPLOYEE IDENTIFICATION BADGES**

All employees will be issued an employee identification badge. Every employee must wear their badge on their person at all times and the badge must be visible. Employees will be given a plastic case and a lanyard for this purpose. Lost or stolen badges will be replaced at a cost of \$8.00 each; lanyards and plastic cases at a cost of \$1.00 each. For employees, these badges will function as an ID, door key access card, and time-keeping swipe card (for hourly employees on True-Time). Substitute ID's will function as an ID only; a temporary door key access card will be available for check-out at each campus on a daily basis. These temporary door key access cards must be returned at the end of each day. Substitutes will also be charged \$8.00 for lost ID cards or door card key access cards and \$1.00 for lanyards and plastic cases. For security reasons, lost or stolen ID badges must be reported to your campus principal/supervisor and the HR Department immediately, and failure to do so may result in disciplinary action. In addition, failure to wear your ID badge at all times as specified above may result in disciplinary action. All employees and substitutes must return their ID cards to HR upon termination with FISD.

## **EMPLOYMENT AFTER RETIREMENT** *Policy DC*

Individuals receiving retirement benefits from the Teacher Retirement System (TRS) may be employed under certain circumstances on a 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)).

## **SELECTION PROCEDURES**

Applicants for contractual or non-contractual positions may be interviewed by the Superintendent, Central Office Staff, Department Head, the campus Principal, and members of the teaching team. The Principal has authority to approve all staff appointments to his/her campus. When a selection is made, the individual will be recommended by the appropriate administrator to the Superintendent for recommendation to the Board of Trustees.

## **ASSIGNMENT and REASSIGNMENT *Policy DK***

All staff members are employed subject to assignment and reassignment by the Superintendent or designee when the Superintendent determines that the assignment or reassignment is in the best interest of the district. Any employee may request reassignment within the District to another position for which he or she is qualified. Reassignment is a transfer to another position, department, or facility that does not necessitate a change in the employment contract. Any change in an employee's contract shall be in accordance with Policy DC.

## **TRANSFERS**

Request for a transfer may be filed with the Human Resources department when the District has identified a campus or program change and is accepting transfer requests. Transfer Request forms can be found on the district website. Final approval will be made by the Superintendent.

## **CONTRACT & NON-CONTRACT 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.

### **CONTINUING CONTRACTS**

Full time professional employees hired under a continuing contract prior to July 1, 1995 shall remain on a continuing contract as long as the employee remains in the same position.

### **PROBATIONARY CONTRACTS**

Full time nurses and professional employees new to the district and employed in positions requiring SBEC certification must receive a probationary contract during their first year of employment. Probationary contracts are one-year contracts. The probationary period for those who have been employed as a teacher in public education for at least five of the eight years preceding employment with the district may not exceed one year. For those with less experience, the probationary period will be three school years, with an optional fourth school year if the Board determines it is doubtful whether a term contract should be given. Teachers hired for a dual assignment, i.e. teacher/coach, will be employed following the same probationary periods and be issued a Dual -Assignment Contract.

### **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. Employment policies can be accessed online or copies will be provided upon request.

### **NONCERTIFIED PROFESSIONALS**

Employees in professional and administrative positions that do not require SBEC certification may be employed by a one-year professional contract or employment agreement. Those on professional contracts or employment agreements are not subject to the provisions for nonrenewal or termination under the Texas Education Code.

### **CONTRACT CONSIDERATION**

Contracts for administrative employees are usually considered at the February Board meeting. Contracts for other professional employees are usually considered at the April Board meeting.

## **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. A letter of reasonable assurance is notification of continued employment with the District will be offered to auxiliary and paraprofessional employees in May of each school year.

## **CERTIFICATION AND LICENSES** *Policies DBA, DF*

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

A certified employee's contract may be voided without due process and employment terminated if the individual does not hold a valid certificate or fails to fulfill the requirements necessary to obtain a standard certification. 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 Lindsey Foley, Executive Director of Human Resources, 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 Lindsey Foley, Executive Director of Human Resources, if you have any questions regarding reverification of employment authorization.

## **SEARCHES AND ALCOHOL AND DRUG TESTING** *Policies CQ, DHE*

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

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 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 may be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

Employees with questions or concerns relating to alcohol and drug testing policies and related educational material should contact Lindsey Foley, Executive Director of Human Resources.

## **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 **Robert Koopman, Director of Athletics** by August 15 of each school year.

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

## **WORKLOAD AND WORK SCHEDULES** *Policies DEAB, DK, DL*

### **PROFESSIONAL EMPLOYEES**

Professional employees and academic administrators are exempt from overtime pay and are employed on a 10 -,11- or 12-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays.

Full time classroom teachers will have planning periods for instructional preparation including conferences. The schedule for 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. Full time teachers and librarians are entitled to 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.

### **PARAPROFESSIONALS & 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 17 for additional information.

### **BREAKS FOR EXPRESSION OF BREAST MILK** *Policies DEAB, DG*

The district will make 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**

The Every Student Succeeds Act (ESSA) requires school districts 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, those waiting to take a certification exam, and individuals who do not hold any certificate or permit. Employees who have questions about their certification can contact the Human Resources department.

### **OUTSIDE EMPLOYMENT AND TUTORING** *Policy DBD*

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

A teacher shall not provide private tutoring for pay for any student enrolled in his/her class(es)



## **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 District employees shall be periodically appraised in the performance of their duties.

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 duty to a patient.

## **TEACHER APPRAISAL SYSTEM** *See Policy DNA*

The Friendswood M-TESS (Mustang Teacher Evaluation & Support System) is a locally developed appraisal system that allows teachers the opportunity to be appraised by formal and informal walkthroughs and other relevant documentation, such as student performance, classroom management, professional development, and leadership.

All teachers shall receive a 45-minute scheduled observation at least once every three years and a summative appraisal using all domains of the M-TESS system. All teachers shall receive at least one formal walkthrough every year and shall be required to complete Domain 4 on professional growth and development.

Teachers may be eligible to be appraised without an annual formal 45-minute observation if he or she has been employed by the District for more than two consecutive years, achieved a rating of Meets Expectations or higher on the most recent summative appraisal, has not been placed on a growth plan, and who has not had any concerns expressed by his or her appraiser. The summative annual appraisal document for a teacher not using the complete M-TESS shall include Domain 4 and the Educator Goal Setting and Professional Development Plan.

Domains I-IV may be scored for teachers not scheduled to be appraised in the complete M-TESS using data from walkthroughs, as long as the documentation has been shared with the teacher.

At any time, a principal may determine that a formal 45-minute observation is needed even in a year in which a teacher has not been scheduled to be appraised in Domains I-IV. In the event a principal determines a 45-minute observation is needed in an unscheduled year, the principal shall notify the teacher in writing of the principal's intent to formally observe instruction during a 45-minute observation at least ten days prior to any observation, but the actual observation may not be scheduled. The result shall be a summative evaluation reflecting all domains of the M-TESS system.

The District shall establish an appraisal calendar each year.

## **EMPLOYEE INVOLVEMENT** *Policies BQA, BQB*

The district 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 may serve on district or campus level advisory committees. Some committees on which employees may serve include:

- District Advisory Committee (District Site-Based Committee elected by campus)
- Textbook Selection Committees
- Numerous Campus Committees
- Technology Committees
- Safety Committee
- Campus Site-Based Decision Committees

If interested in serving on one of these committees, a staff member should contact the campus principal or department head.

## **STAFF DEVELOPMENT** *Policy DMA*

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

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

# **COMPENSATION AND BENEFITS**

## **SALARIES, WAGES AND STIPENDS** *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. The Superintendent develops and recommends to the Board for adoption a pay system for all District personnel. Copies of the District's salary schedules are available from the Human Resources department.

Notice of assignment and salary information is viewable through Skyward Employee Access. Base salary and supplemental pay for additional duties are delineated. The information is for computational purposes only and does not constitute a contract. Employees should contact the Human Resources department for more information about the district's pay schedules or their own pay.

All district positions are classified as exempt or nonexempt according to federal law.

### **EXEMPT EMPLOYEES**

Professional employees and academic administrators are generally classified as exempt. They are not entitled to overtime compensation.

Full time classroom teachers, librarians, nurses, and 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.

### **NON-EXEMPT EMPLOYEES**

Other employees are generally classified as non-exempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. Non-exempt employees who work 37.5 hours shall receive hour-for-hour compensatory time for extra hours worked up to 40 hours per week.

Non-exempt employees shall not work overtime without prior approval of their supervisor. An employee who works overtime without prior approval is subject to discipline but shall be compensated in accordance with the FLSA. Compensatory time earned by non-exempt employees may not accrue beyond a maximum of 20 hours. At the District's option, nonexempt employees may receive compensatory time off, rather than overtime pay, for overtime work. The employee shall be informed in advance if overtime hours will accrue compensatory time rather than pay.

### **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 may 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 a.m. Sunday and ends at 11:59 p.m. Saturday.

Non-exempt employees are paid for hours set by the normal work schedule. Hours worked beyond the normal schedule up to 40 hours will be paid at a regular rate of pay.

Employees may be compensated for overtime at time-and-a-half rate with compensatory time off- (comp time) or direct pay. The following applies to all non-exempt employees:

- Employees can accumulate up to 20 hours of comp time.
- It is expected that comp time shall be used in the duty year 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 non-exempt employees for the purpose of wage and salary administration.

## CATAGORIES OF PAY

### BASE PAY

As per Board approved salary schedule.

### GRADUATE HOUR PAY

In an effort to encourage teachers to earn advanced degrees, FISD has established a financial incentive. Professional personnel shall be paid \$20 annually for each semester hour of college or university graduate level coursework (maximum 24 hours) earned above the Bachelor's degree. Teachers must be fully certified to be eligible to receive graduate hour compensation. Teachers holding Probationary certificates are not yet fully certified by the state and therefore not eligible until they receive a Standard certificate.

Official transcripts for all hours must be on file in the Human Resources department. Payment for these hours will be on the first payday of December. For those individuals unable to provide official transcripts by the deadline for the December payment, a June payment will be offered.

## PAYCHECKS

**Direct Banking Deposit** is required for all employees. Employees will need to complete necessary paperwork in the payroll office. All employees will be paid on a 24 pay period schedule.

Pay dates are normally on the 5th and 20th of each month. If those dates fall on a Saturday, Sunday, or federal holiday, the payday will be the last available banking day before the holiday. For paydays that occur during a District holiday such as Christmas break, etc., the regular payday schedule will be followed.

In order to draw summer pay in a lump sum payment on June 20th, an employee must be terminating employment and request the payoff by June 1 in writing to the Human Resources department.

## PAYROLL DEDUCTIONS *Policy CFEA*

### Required Deductions

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

- Teacher Retirement System of Texas (TRS) or the District Approved FICA Alternative Plan (affects part-time, temporary and seasonal employees, including substitutes).
- Federal income tax
- Medicare tax (applicable only to employees hired in this district after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

All salaried personnel working 50% or more of the day shall be a member of the Teacher Retirement System.

Each staff member is required to have on file in the Payroll Department a completed Withholding Allowance Certificate. A W-4 form is available from the Payroll Department or online at [www.myfisd.com](http://www.myfisd.com)

### Optional Deductions

As a service to staff members, the District provides the following optional deductions. Authorization for these deductions must be submitted in writing with the proper signature and must be on file in the Benefits Office.

- Insurance - Deducted from all employees' salaries participating in approved programs. For additional information, please contact the Benefits Office.
- Pre-Tax Benefit Plan (Cafeteria Plan) - Premium payments for health insurance, dental insurance, vision insurance, and Flex plans will be deducted from eligible staff members' salaries BEFORE federal income tax withholding is calculated. SEE EMPLOYEE BENEFITS SECTION
- Tax Sheltered Annuities and Deferred Compensation - Staff members shall select from an approved list of companies offering tax shelter and annuity programs. This plan is administered by a third party administrator. You may contact the Benefits Office for additional information.
- Professional Dues - Contact a representative on your campus.

Salary deductions are automatically made for unauthorized or unpaid leave.

## **TRAVEL EXPENSE REIMBURSEMENT** *Policy DEE*

Prior approval for all travel, including prepaid expenses, shall be obtained before any expenses are incurred by filling out a Travel Request Form <https://www.myfisd.com/departments/financial-services/business-forms>. For approved travel; employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. If hotel is needed, a check request will be submitted to receive a check to the hotel in advance of travel. All other travel expenses will be reimbursed upon return. To receive reimbursement for transportation or other authorized travel expenses, an employee shall present receipts and complete a final travel report. Meals are paid per diem and we do not reimburse sales tax. Hotel and sales tax exempt forms will be provided prior to travel.

## **BENEFITS**

The information provided on the group insurance benefits available for all regular employees of the Friendswood Independent School District is a summary. The purpose is to make sure that the participants understand their options and rights under the plans. If there is any conflict between any plan summary and its contract or master policy, the contract or master policy will prevail. Claims determinations are made by the individual insurance companies.

The plan year for benefits programs runs 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). These changes must be made within 31 days of the qualifying event. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees and may be accessed through the Benefits page of the district website. Insurance questions should be addressed to the Benefits and Leave Coordinator 281-482-1267.

## **GROUP HEALTH 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 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. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact the Benefits Coordinator for more information.

If an employee is on an approved leave-without-pay status under FMLA or temporary disability, FISD contributions towards the cost of the employee's group health insurance will not exceed 6 months.

Plan Administrator: Aetna

Teacher Retirement System of Texas (TRS) has PPO agreement with BlueCross BlueShield of Texas. Contact them to verify your provider's participation at 1-866-355-5999 or [www.trs.state.tx.us/trs-activecare](http://www.trs.state.tx.us/trs-activecare).

**Friendswood ISD employees are eligible for the following plans: ActiveCare Primary, ActiveCare HD or ActiveCare Primary + and TSHBP.**

## **SUPPLEMENTAL INSURANCE BENEFITS** *Policy CRD*

Employees regularly scheduled for 18.75 or more hours per week, may enroll in supplemental insurance programs at their own expense. Premiums for these programs can be paid by payroll deduction. Employees should contact the Benefits and Leave Coordinator, for more information.

Dental Insurance  
Vision Insurance  
Flexible Spending Account  
Health Savings Account  
Critical Illness Insurance  
Cancer Insurance  
Accident Insurance  
Supplemental Group Life Insurance  
Dependent Group Life Insurance  
Permanent Life Insurance  
Short Term Disability

## **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., medical, dental, vision, health savings and flex account.) 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.

### **The District provides the following two benefits to employees regularly scheduled for 25 or more hours per week:**

#### **Basic Term Life**

\$20,000 policy

*100% premium paid by Fisd*

#### **Long Term Disability**

Effective on 91st day of total disability. Disability income equals 40% of salary

*100% premium paid by Fisd*

There is also now an OPTIONAL "buy-up" component of the Long Term Disability plan. This allows the employee to increase the income benefit up to 66.67% of their eligible monthly earnings.

## **ADDITIONAL EMPLOYEE BENEFITS:**

### **COBRA**

Administration of COBRA Health benefits is handled by BlueCross BlueShield of Texas. All questions should be directed to BlueCross BlueShield of Texas at 1-866-355-5999

### **TUITION-FREE ATTENDANCE** *Policy FDA*

Children of non-resident full time District employees or part-time professional District employees may be accepted as a transfer student tuition-free. Full time employees are defined as employees scheduled to work 30 or more hours per week, excluding overtime and supplemental duties.

### **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 Lindsey Foley, Executive Director of Human Resources at [lfoley@fisd12.net](mailto:lfoley@fisd12.net), or 281-482-1267.

### **WORKERS' COMPENSATION INSURANCE** *Policy CRE*

The District, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law, depending on the circumstances of each case.

All work-related accidents or injuries should be reported immediately to the campus nurse or immediate supervisor and the district Benefits and Leave Coordinator. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. Worker's Compensation claims are administered by the Texas Association of School Boards (TASB) at 1-800-482-7276.

## **RETIREMENT *Policy DEG***

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

Employees who plan to retire under TRS should notify Human Resources 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)).

## **REIMBURSEMENT AT RETIREMENT *Policy DEC***

### **Current Compensation at Retirement Plan**

The District shall establish a retirement program fund limited to 1.0 percent of the total District budgeted salaries for the current year. If a balance remains from any year, the amount shall be added to the percent allocated the next year, not to exceed a total of \$100,000 plus the 1.0 percent salary factor. Employees who take full retirement with the Texas Teacher Retirement System (TRS) with a combination of age and service years equal to 80 or more shall be compensated for accumulated local sick leave accrued while employed by the District at 50 percent of their daily wage at the time of retirement. A retiring employee may be compensated for no more than the number of workdays for one contract year or the number of duty days specified for the position, whichever is appropriate.

### **Former Reimbursement at Retirement Plan**

The Board rescinded the reimbursement-at-retirement plan effective at the end of the 2005-06 school year. Eligibility was determined for individual employees during the 2005-06 school year and the former reimbursement at retirement plan does not apply to any other employees. The eligible employees who meet the retirement requirements established by the former plan shall be allowed to retire at any time under the conditions of the former plan. The retiring employee's benefits shall be calculated using the 2005-06 base salary and local sick leave earned through August 31, 2006.

# **LEAVES AND ABSENCES**

*Policies DEC, DECA, DECB*

The District offers employees paid and unpaid leaves of absences in times of personal need. This handbook describes the basic types of leave available and restrictions on leave of absence. Employees who expect to be absent for an extended period of more than five days should call the Benefits department for information about applicable leave benefits, payment of insurance premiums, and requirements for communicating with the District.

Leave must be used in half or whole day increments. The District may require earned comp time to be used before any available paid state and local 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 employee will receive notice of COBRA rights.

## **REPORTING ROUTINE ABSENCES**

When employees are absent from duty they must notify the supervisor to whom they report directly or designee by 6:30 am or earlier on the day they are to be absent. If the employee is absent more than five consecutive workdays, documentation from a physician is required. Employees are required to enter absences into the Skyward Time Off system. If the employee is unable to enter the absence, he/she is to seek assistance from the campus or department secretary. Employees requiring a substitute must also make the entry in the Frontline Absence Management system.

## **RETURN FROM ABSENCE**

An employee absent more than five consecutive workdays because of personal illness shall submit, upon return to work, a physician's statement indicating his or her fitness to return to work. An employee absent more than five consecutive workdays because of illness in the immediate family shall present, upon return to work, medical certification of the family member's illness.

## **AVAILABLE LEAVE ALLOTMENTS:**

### **STATE PERSONAL LEAVE**

A state minimum personal leave program consisting of five days per year of personal leave, with no limit on accumulation and no restrictions on transfer among Texas school districts shall be provided for school district employees. Personal leave may be used for two general purposes: nondiscretionary and discretionary.

### **NONDISCRETIONARY LEAVE**

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

### **DISCRETIONARY LEAVE (PERSONAL BUSINESS LEAVE)**

#### **1. USE OF DISCRETIONARY LEAVE**

Discretionary personal leave shall be granted on a first-come, first-served basis, with a maximum of ten percent of campus employees permitted to be absent at the same time for discretionary personal leave. The supervisor or designee shall consider the effect of the employee's absence on the educational program or district operations, as well as the availability of substitutes.

## 2. REQUEST FOR LEAVE

A notice of request for discretionary personal leave shall be submitted in writing to the immediate supervisor or designee at least 3 days in advance of the anticipated absence. Requests for more than five consecutive days shall be made directly to the Superintendent. No more than ten days of discretionary leave may be used per school year.

## 3. DURATION OF LEAVE

Discretionary personal leave may not be taken for more than five consecutive workdays without Superintendent approval. No more than ten days of discretionary leave may be used per school year.

## 4. SCHEDULE OF LIMITATIONS

Discretionary leave shall not be allowed on the day before or after a grading period, the day before a school holiday, the day after a school holiday, days scheduled for end-of-semester or end-of-year exams, or on days scheduled for state or standardized tests, unless approval is granted by the campus Principal or department Director. Discretionary leave shall not be allowed on days scheduled for professional or staff development, unless approval is granted by the Assistant Superintendent.

# STATE SICK LEAVE

State sick leave was only accumulated before May 30, 1995. It has not been extended to any employee after that date. For those employees who accumulated state sick leave, it is available for use at the beginning of the school year 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 full-time regularly employed persons shall earn an additional five, six, or seven workdays of local leave per school year, for positions normally requiring 10,11,12 months of service per year, respectively.

All part-time regularly employed persons shall earn local leave on the basis of the length of their workdays.

1. For positions normally requiring three hours of service per day, employees shall earn five three-hour days per year, for a total of 15 hours of leave.
2. For positions normally requiring four hours of service per day, employees shall earn five four-hour days per year, for a total of 20 hours of leave.

Local leave shall accumulate without limit. It is not transferable to other school districts. Local leave shall be used according to the terms and conditions of State Personal Leave.

# AVAILABILITY AND LEAVE PRORATION

State Personal Leave and Local Leave are available for use at the beginning of the school year. 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 and local 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 or local leave the employee used beyond his or her pro rata entitlement for the school year.



## USAGE

Employees will select the leave bank to which the absence is to be charged each time an absence from duty is entered. If the employee does not designate local or state leave, leave will be applied in this order:

- Local Leave
- State sick leave accumulated before the 1995-1996 school year
- State personal leave

Use of extended sick leave or sick leave pool days shall be permitted only after all available state and local leave has been exhausted. Any unapproved or absences beyond accumulated or available paid leave shall result in deduction from the employee's pay.

## SICK LEAVE DONOR PROGRAM

All fulltime employees may participate in the Sick Leave Pool. Refer to Board Policy manual, or contact the Benefits department for information.

## FAMILY MEDICAL LEAVE (FML) – General Federal 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)

## **FAMILY AND MEDICAL LEAVE – LOCAL PROVISIONS**

Eligible employees can take up to 12 weeks of unpaid leave in each 12-month period (365 days), measured forward from the date an individual's first FML begins. Eligibility starts after the person has been employed for 12 months.

### **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 may permit use of intermittent or reduced schedule FMLA leave for the care of a newborn or the adoption or placement of a child with an employee. Intermittent leave must be taken in half or full day increments.

### **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. If a fitness-for-duty certification is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FML designation notice to share with the health care provider. 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 the Benefits and Leave Coordinator, for details on eligibility, requirements, and limitations.

**TEMPORARY DISABILITY LEAVE**

Any full-time employee whose position requires certification from the State Board of Educator Certification (SBEC) or by the District is eligible for temporary disability leave. All other full-time exempt and non-exempt employees shall be eligible for unpaid temporary disability leave. The purpose of temporary disability leave is to provide job protection to employees 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. The maximum length of temporary disability placement is 187 instructional days.

Medical certification that meets the requirements of the FMLA shall be required from an employee requesting temporary disability leave. For absences of more than 30 days, recertification may be required in accordance with the FMLA.

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 the probable date of return

If an employee is placed on temporary disability leave involuntarily, he or she has the right to request a hearing before the Board of Trustees. The employee may protest the action and present additional evidence of fitness to work.

When an employee is ready to return to work, the Human Resources department should be notified at least 30 days in advance. The employee must provide a physician's statement confirming the employee is able to resume regular responsibilities. See more information regarding return to work rights and responsibilities in Policy DEC.

**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 the Benefits and Leave Coordinator.

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

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

## **BEREAVEMENT LEAVE**

In the event of a death in an employee's immediate family, as defined in DEC Local policy, the District shall grant the employee as many as five days of local bereavement leave prior to the use of any sick days or personal business days assigned for the current school year. One day of the bereavement leave must be used the day of the funeral or adjacent to the day of the funeral. The campus principal or director shall provide approval for such leave.

## **RELIGIOUS OBSERVANCES**

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.

## **JURY DUTY *Policies DEC, DG***

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

Absences for court appearances related to an employee's personal business shall be deducted from the employee's discretionary personal business leave or shall be taken by the employee as leave without pay. The employee 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 will be required to submit documentation of their need for leave for 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.

## **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.

## **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 15 days of paid leave per fiscal year when engaged in authorized training or duty ordered by proper authority. An additional seven days of leave per fiscal year are available if called to state active duty in response to a disaster. 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 the Benefits and Leave Coordinator. In most cases, the length of federal military service cannot exceed five years.

### **Continuation of Health Insurance**

Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact the Benefits and Leave Coordinator for details on eligibility, requirements, and limitations.

## **SPECIAL LEAVE OF ABSENCE**

A leave of absence for a period of one teaching year beginning with the fall semester shall be available to all employees with at least four consecutive years of service in the District, subject to the following conditions:

1. This leave shall apply to use for higher education, child care, research, or field research.
2. The District is not responsible for compensation for salary or insurance coverage during a leave of absence.
3. A leave of absence is subject to the approval of the Superintendent and the Board.
4. Upon completion of a leave of absence, the employee is guaranteed employment within the system with no loss of credit to service.
5. The individual taking a leave of absence shall not lose any leave accumulated.
6. An employee shall not be eligible for this leave immediately following a special child care leave.

## **SPECIAL CHILD CARE LEAVE**

Child care leave for a period of one teaching year shall be available to persons who have been employed with the District for a period of no less than two consecutive years, subject to the following conditions:

1. Child care leave is subject to the approval of the Superintendent and the Board.
2. The District is not responsible for compensation for salary or insurance coverage during child care leave.
3. The District shall give the employee who has taken a child care leave preference in employment upon application for an existing vacancy. The District does not guarantee employment to a person who takes child care leave.
4. An employee who takes child care leave shall not lose accumulated leave under the regular leave policy.
5. An employee shall not be eligible for this leave immediately following a special leave of absence.

## **TERMINATION AFTER LEAVE EXHAUSTED**

The District shall pursue termination when an employee is no longer on an approved leave and has not returned to work. A non-professional at-will employee shall be automatically terminated. For professional at-will and professional contract employees, failure to return from leave may constitute good cause for termination.

# **EMPLOYEE RELATIONS AND COMMUNICATIONS**

## **EMPLOYEE RECOGNITION AND APPRECIATION**

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the District. Employees are recognized at board meetings, in the district newsletter, and through special events and activities. Recognition and appreciation activities also include service pins awarded to employees for every five years of completed service in the District.

## **DISTRICT COMMUNICATIONS**

The Communications Department creates and publishes electronic newsletters, flyers, brochures, news releases and videos, as well as manages district social media communication. These publications offer employees and the community current and timely information pertaining to school and district activities, achievements and information.

## **EQUITY AMONG CAMPUSES**

The Friendswood ISD will not reduce local funding based on federal assistance, which is a violation of federal requirements and jeopardizes those federal funds. The district will ensure equivalence among schools in teachers, administrators, and other staff and in the provision of curriculum materials and instructional supplies. If any of these are found to be inadequate, appropriate measures will be taken to remedy the situation.

# **COMPLAINTS AND GRIEVANCES**

*See 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:

## **COMPLAINTS**

In this policy, the terms "complaint" and "grievance" shall have the same meaning.

## **OTHER COMPLAINT PROCESSES**

Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.

3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional materials shall be submitted in accordance with EFA.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

## **NOTICE TO EMPLOYEES**

The District shall inform employees of this policy through appropriate District publications.

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

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, including deadlines for filing a written formal complaint, except by mutual written consent.

## **DIRECT COMMUNICATION WITH BOARD MEMBERS**

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

## **FORMAL PROCESS**

An employee may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

## **FREEDOM FROM RETALIATION**

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

## **WHISTLEBLOWER COMPLAINTS**

Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]

## **COMPLAINTS AGAINST SUPERVISORS**

Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.

## **GENERAL PROVISIONS:**

### **FILING**

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

### **SCHEDULING CONFERENCES**

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee's absence.

### **RESPONSE**

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

### **DAYS**

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

### **REPRESENTATIVE**

"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.

The employee may designate a representative through written notice to the District at any level of this process. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

For a grievance alleging a violation of law by a supervisor, the employee's representative may participate in person or by telephone conference call.

### **CONSOLIDATING COMPLAINTS**

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.

### **UNTIMELY FILINGS**

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

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

### **COSTS INCURRED**

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



## **COMPLAINT AND APPEAL FORMS**

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

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

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

## **AUDIO RECORDING**

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

## **LEVEL ONE**

Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

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

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

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

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

## **LEVEL TWO**

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

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

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

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.

4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

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

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

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

### **LEVEL THREE**

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

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

The Superintendent or designee shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The employee may request a copy of the Level Two record.

The Level Two record shall include:

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

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

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

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

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

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

# **EMPLOYEE CONDUCT AND WELFARE**

## **STANDARDS OF CONDUCT** *Policy DH*

All employees are expected to work together in a cooperative spirit to serve the best interest 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, including termination.
- 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.

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

## **CODE OF ETHICS AND STANDARD PRACTICES FOR TEXAS EDUCATORS**

### **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.

### **ENFORCABLE 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, personal property, 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, or other persons or organizations in recognition or appreciation of service

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

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

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

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

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

**Standard 1.11** The educator shall not intentionally, 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 or abuse or distribution of controlled substances of 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 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.

**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 the 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, e-mail, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is appropriate include, but are not limited to:

- a. The nature, purpose, timing, and amount of the communication;
- b. The subject matter of the communication;
- c. Whether the communication was made openly or the educator attempted to conceal the communication;

- d. Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- e. Whether the communication was sexually explicit; and
- f. 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.

## **VIOLATIONS OF STANDARDS OF CONDUCT**

Violations of any policies, regulations, or guidelines may result in disciplinary action including termination of employment.

## **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 the complaint, the complaint should be made directly to the superintendent. A complaint against the superintendent may be made directly to the board.

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

## **HARASSMENT OF STUDENTS** *Policies DH, DHB, FFG, FFH, FFI*

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. Any district employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct based on sex, including sexual harassment, of a student shall immediately notify the district's Title IX coordinator, the ADA/Section 504 coordinator, or superintendent and take any other steps required by district policy. All allegations of prohibited harassment or abuse of a student will be reported to the student's parents and promptly investigated. An employee who knows of or has reasonable cause to believe that child abuse or neglect occurred must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See Reporting Suspected Child Abuse, page 37 and Bullying, page 50 for additional information.

The District's policy of solicitation of a romantic relationship in DF Legal and text of FFH Local are reprinted below:

## **DEFINITION OF SOLICITATION OF A ROMANTIC RELATIONSHIP**

*Policies DF Legal and FFH Local*

"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:

1. 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:
  - a. The nature of the communications;
  - b. The timing of the communications;
  - c. The extent of the communications;
  - d. Whether the communications were made openly or secretly;
  - e. The extent that the educator attempts to conceal the communications;

- g. Any other evidence tending to show the content of the communications between educator and student.
  2. Making inappropriate comments about a student's body, creating or transmitting sexually suggestive photographs or images, or encouraging the student to transmit sexually suggestive photographs or images.
  3. Making sexually demeaning comments to a student.
  4. Making comments about a student's potential sexual performance.
  5. Requesting details of a student's sexual history.
  6. Requesting a date, sexual contact, or any activity intended for the sexual gratification of the educator.
  7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
  8. Inappropriate hugging, kissing, or excessive touching.
  9. Providing the student with drugs or alcohol.
  10. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
  11. Any other acts tending to show that the educator solicited a romantic relationship with the student.
- 19 TAC 249.3(51)

## **SEXUAL HARRASSMENT OF A STUDENT**

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

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
  - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
  - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

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

## **REPORTING SUSPECTED CHILD ABUSE** *Policies DG, GRA*

All employees with reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect, as defined by Texas Family Code §261.001, are required by state law to make a report to a law enforcement agency, Child Protective Services (CPS), or appropriate state agency (e.g., state agency operating, licensing, certifying, or registering a facility) within 48 hours of the event that led to the suspicion. 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. Abuse is defined by SBEC and includes the following acts or omissions:

- Mental or emotional injury to a student or minor that results in observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Causing or permitting a student or minor to be in a situation in which the student or minor sustains a mental or emotional injury that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;

- Physical injury that results in substantial harm to a student or minor, or the genuine threat of substantial harm from physical injury to the student or minor, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline, or
- Sexual conduct harmful to a student's or minor's mental, emotional, or physical welfare.

Employees are also required to make a report if they have reasonable 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 was 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 rely on another person or administrator to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from taking an adverse employment action against a certified or licensed professional who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to make the required report may result in prosecution as a Class A misdemeanor. The offense of failure to report by a professional may be a state jail felony if it is shown the individual intended to conceal the abuse or neglect. In addition, a certified employee's failure to report may result in disciplinary procedures by SBEC for a violation of the Texas Educators' Code of Ethics.

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

Reporting the concern to the principal does not relieve the employee of the requirement to report it to the appropriate state agency. In addition, employees must cooperate with investigators of child abuse and child 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 maltreatment of children, which may be accessed in the District Improvement Plan on the District website. Additional information is available in SafeSchools. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or otherwise maltreated. Sexual abuse in 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 has reasonable cause to believe 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*.

Employees are required to follow the procedures described above in Reporting Suspected Child Abuse.

## **REPORTING CRIME** *Policy DG*

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

## **SCOPE AND SEQUENCE** *Policy DG*

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

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

## **TECHNOLOGY RESOURCES** *Policy CQ*

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

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

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

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 the Technology Department by calling 281-339-6690.

## **PERSONAL USE OF ELECTRONIC COMMUNICATIONS** *Policy CQ, DH*

Electronic communication includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), web logs (blogs), wikis, electronic forums (chat rooms), video-sharing websites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). Electronic 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 communication as they are for any other public conduct. If an employee's use of electronic communication interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

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



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

## ELECTRONIC COMMUNICATION 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 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* is 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 e-mail, 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:

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

- The employee may use any form of electronic communication **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility. Employees who utilize text messaging must attach at least one of the student's parents as a recipient of the text. Thus, both student and parent(s) are receiving the same text. As an alternative to sending to parents, teacher, trainer, or other employee may send a copy of the text to the district e-mail system should they have a device that provides this capability. This allows retention of the text as a written, printable record. The method selected is to be clearly communicated with parents prior to texting taking place.
- The employee does not have a right to privacy with respect to communications with students and parents.

- 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 communication the employee uses to communicate with any one or more currently-enrolled students.
- 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 continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL] to the extent possible.
  - Copyright law [Policy CY]
  - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DH]
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
- An employee may request an exception from one or more of the limitations above by submitting a written request to his or her 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 her supervisor in writing immediately 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 of 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** *Policy DH*

Friendswood 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:

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

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

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

### **EXCEPTIONS:**

An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employee's use shall not be considered to have violated this policy.

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution.

Compliance with these requirements and prohibitions is mandatory and is a condition of employment.

## **DRUG-FREE WORKPLACE NOTICE** *Policy DI Exhibit*

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace. Employees who violate this prohibition shall be subject to disciplinary sanctions. Sanctions may include:

- Referral to drug and alcohol counseling or rehabilitation programs;
- Referral to employee assistance programs;
- Termination from employment with the District; and
- Referral to appropriate law enforcement officials for prosecution.
- As a condition of employment, an employee shall:
- Abide by the terms of this notice; and

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

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

## **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 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
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

## **CONFLICT OF INTEREST** *Policies 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.

## **DONATIONS**

Employees who seek equipment donations from outside donation websites for classroom use must first receive approval from the campus principal. If the equipment is technology related, the Director of Technology must be consulted to determine if the District can support the required technology.

## **ENDORSEMENTS** *Policy DBD*

An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the District employee during non-school hours. No employee shall require students to purchase a specific brand of school supplies if other brands are equal and suitable for the intended instructional purpose.

## **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 communication, 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 provision 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 45 for additional information.

To prevent or minimize injuries to employees, co-workers, 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: JT Patton, Executive Director of Safety and Operations at [jpatton@fisd12.net](mailto:jpatton@fisd12.net).

## **ASBESTOS MANAGEMENT PLAN** *Policy CKA*

Friendswood I.S.D. maintains compliance with state and federal regulations concerning asbestos. Should you desire to review a copy of your campus asbestos management plan, a copy is available in the principal's office under the title "AHERA" If you have questions regarding the plan please contact Mari Castellanos at 281-482-2744.

## **PEST CONTROL TREATMENT** *Policies DI, CLB*

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.

The District will notify school staff and students of upcoming pesticide treatments. Notices will be posted in designated areas at school (school office, employee workroom, or employee lunchroom) and sent home to parents who wish to be informed in advance of pesticide applications.

## **POSSESSION OF FIREARMS AND WEAPONS** *Policies DH, FNCG, GKA*

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school sponsored activity takes place. A person, including an employee, who holds a license to carry a handgun may transport or store a handgun or other firearm or ammunition in a locked vehicle in a parking lot, garage, or other district provided parking area, provided the handgun or firearm is not loaded and 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 JT Patton, Executive Director of Safety and Operations, 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.

## **DRESS AND GROOMING** *Policy DH*

District employees shall dress and be groomed in a clean and neat manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent. Unacceptable clothing includes shorts, flip-flops, halter tops, backless dresses, and spaghetti straps. See your principal or director for more details.

## **VIOLATIONS** *Policy DO*

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as District employees. Violations of any policies, regulations, and guidelines may result in disciplinary action, including termination of employment.

# **GENERAL PROCEDURES**

## **EMERGENCY SCHOOL CLOSINGS**

The district may close schools due to severe weather, epidemics or emergency conditions. When such conditions exist, the Superintendent will make the official decision concerning the closing of district facilities. When it becomes necessary to alter school times or to cancel school, district officials will communicate the information via email and text messages to parents and staff through Skyward, on social media outlets, through the district's website at myfisd.com and media outlets. Make sure you are following us @FriendswoodISD on Facebook, Instagram and Twitter.

## **EMERGENCIES** *Policy CKC, CKD*

All employees are required to attend a district led annual Safety Training and should be familiar with the safety procedures for responding to emergencies, including a medical emergency. Employees should locate evacuation diagrams posted in their work areas and be familiar with shelter in place, lockdown, and lockdown procedures. Fire, tornado, and other emergency drills will be conducted to familiarize the employees and students with evacuation procedures. Fire extinguishers are located throughout all district buildings. Employees should know the location of the extinguishers nearest their place of work and how to use them.

## **BELL SCHEDULES**

Staff members are expected to report to work punctually according to their campus bell schedule and to check in, whether by punching in on the time clock, using Skyward, or signing in on the time sheets, or by procedures established by the campus principal or supervisor at the assigned time to begin work. Hourly staff members must not check in early or late without the expressed permission of the supervisor. Your campus principal or supervisor will provide a schedule of duty hours.

## **PURCHASING PROCEDURES**

Friendswood I.S.D. strives to provide the resources and materials necessary to meet the needs of our campuses and departments. Procurement procedures are put into place to allow the acquisition of goods and services in accordance with state and federal law. Employees should always contact their team leader, principal, or supervisor for information regarding budget allotments and to ensure that they are following proper purchasing procedures. The District will not reimburse employees or assume responsibility for purchases made without prior authorization. Employees are not permitted to purchase items for personal use through the District's business office. For additional information, contact Carol Blain, FISD Purchasing Coordinator, at [cblain@fisd12.net](mailto:cblain@fisd12.net) or visit the FISD Purchasing Department's webpage at <https://www.myfisd.com/departments/purchasing>

## **CHANGE IN PERSONAL INFORMATION**

Change in Name, Address or Phone Number must be made via a link provided on the Human Resources webpage: <http://myfisd.com/human-resources/>

### **NAME CHANGE**

To complete a name change with the district the employee must first change it with the Social Security Administration and Department of Public Safety. The change can then be completed via the link on the Human Resources webpage: <http://myfisd.com/human-resources/> with a copy of new Driver's License and new Social Security Card attached.

### **TEA UPDATES:**

Certified personnel are required to provide updated contact information to the State Board of Educator Certification by going to [www.tea.state.tx.us](http://www.tea.state.tx.us).

### **CERTIFICATION RENEWAL/ADDITIONS:**

Professional employees are to notify the Human Resources Department when adding areas of certification to their Texas teaching certificate. Human Resources must also be notified when a certificate has been renewed.

### **TRS CHANGES:**

Changes in name, address, phone number or and other information must be reported directly to TRS. You can make changes via your TRS portal or by contacting TRS at 1-800-223-8778.

## **VOLUNTEERS** *Policy GKG Local*

The District shall obtain criminal history records of all prospective volunteers, including chaperones, mentors, and tutors, engaged in direct and extended contact with students both during and after school hours, whether with or without direct monitoring by District employees. The criminal history background check shall remain effective for the school year during which the application is made and must be renewed annually.

## **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 address is confidential and may not be released with 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 whether they have family members

The choice to not allow public access to information or change an existing choice may be made at any time by submitting a written request to Human Resources. 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 information is submitted or another exception for release of information under law applies. An employee is responsible for notifying the district if he or she is subject to any exception for disclosure of personal or confidential information.

## **FACILITY USE** *Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. Mari Castellanos, Custodial Director, is responsible for scheduling the use of facilities after school hours. Contact Mari Castellanos, 281 - 996-2582, to request to use school facilities and to obtain information on the fees charged.

# **TERMINATION OF EMPLOYMENT**

## **RESIGNATIONS** *Policy DFE*

All resignations shall be submitted in writing to the Superintendent or designee, which should be forwarded to the Human Resources Department in a timely manner. The employee shall give reasonable notice and shall include in the letter a statement of the reasons for resigning. A prepaid certified or registered letter of resignation shall be considered submitted upon mailing.

## **CONTRACT EMPLOYEES**

Contract employees may resign their position without penalty at the end of any school year if written notice is received by the District 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 Superintendent or designee.

Contract employees may resign at any other time only with the approval of the Superintendent or Board of Trustees. Resignation without consent may result in disciplinary action by the State Board of Educator Certification (SBEC). The Superintendent or designee shall either accept the resignation or submit the matter to the Board in order to pursue sanctions allowed by law.

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*. The superintendent will notify SBEC when an employee resigns and there is evidence that the employee has engaged in such misconduct.

## **NON-CONTRACT EMPLOYEES**

Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to their immediate supervisor and Human Resources at least two weeks prior to the effective date.

## **WITHDRAWAL OF RESIGNATION**

Once submitted and accepted, the resignation of a contract employee may not be withdrawn without consent of the Superintendent.

## **ABANDONMENT OF CONTRACT**

On written complaint of the District, the State Board for Educator Certification (SBEC) may impose sanctions against an educator who is employed under a probationary contract, or under a continuing or term contract for the following school year and who resigns, fails without good cause to comply with the resignation deadlines or the provision regarding resignation by consent, and fails without good cause to perform the contract.



## **IMMEDIATE DISCHARGE**

FISD must discharge any employee who is listed on TEA's registry of persons who are not eligible to be employed in public schools and those under investigation.

## **DISCHARGE FOR GOOD CAUSE** *Policies DFAA, DFBA,DFCA*

An employee on a probationary, term, or continuing contract may be discharged at any time for good cause as determined by the Board. Before any term contract employee is dismissed for good cause, the employee shall be given reasonable notice in writing of the charges against him or her and an explanation of the District's evidence, set out in sufficient detail to fairly enable the employee to show any error that may exist.

## **REPORTS TO THE 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:

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

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

## **DISMISSAL OR NONRENEWAL OF CONTRACT EMPLOYEES** *Policy DF Series, DHB*

Employees on probationary, term, and continuing contracts will be notified by the Board of Trustees no later than the tenth day before the last day of instruction of its decision to terminate or non-renew the contract.

Employees on probationary, term and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Contract employees dismissed during the school year are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. 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 timelines and procedures can be found in the DF series policies that are available online.

The principal is required to notify the superintendent of 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. The superintendent will notify SBEC when an employee is terminated and there is evidence to indicate that the employee has engaged in such misconduct.

## **REDUCTION IN FORCE** *Policies DFF, DFFA, DFFB, DFFC*

A reduction in force may take place when the Board determines that financial exigency or a program change requires the discharge or nonrenewal of one or more employees. Such a determination constitutes sufficient cause for discharge or nonrenewal.

Financial exigency shall mean any event or occurrence that creates a need for the District to reduce financial expenditures for personnel including, but not limited to, a decline in the District's financial resources, a decline in enrollment, a cut in funding, a decline in tax revenues, or an unanticipated expense or capital need. Program change shall mean any elimination, curtailment, or reorganization of a curriculum offering, program, or school operation. The term shall include, but not be limited to, a change in curriculum objectives, a modification or reorganization of staffing patterns on a particular campus or District wide, a redirection of financial resources to meet the educational needs of the students, a lack of student response to particular course offerings, legislative revisions to programs, or a reorganization or consolidation of two or more individual schools or school districts.

## **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 for race, color, religion, sex, national origin, age, disability, military status, genetic information, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook and contained in policy online when pursuing the grievance.

The principal is required to notify the superintendent of a noncertified employee's resignation or termination with 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 with seven business day 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 or placed on deferred adjudication community supervision for an offense requiring the registration as a sex offender or convicted of a felony under Title 5 Penal Code if the victim was a minor.

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

## **EXIT SURVEY PROCEDURES** *Policy DC (Local)*

Employees separating from the district can access the Employee Exit Guide on the Human Resources page of myfisd.com. An exit survey may be conducted for employees who initiate resignation or retirement. Separating employees shall complete an exit questionnaire and provide the District with a forwarding physical and email address and phone number. The exit questionnaire may be accessed via a link within the Employee Exit Guide. All District keys, badges, books, property and equipment must be returned upon separation from employment.

## **RETIREMENT**

See the TRS website at [www.trs.texas.gov](http://www.trs.texas.gov) for complete information. See Benefits in this handbook for additional district information.

## **DISABILITY RETIREMENT**

See TRS website at [www.trs.texas.gov](http://www.trs.texas.gov) for complete information.

## **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, Friendswood I.S.D. does not discriminate on the basis of race, color, religion, national origin, age, sex, or disability in providing educational services, activities, and programs, including Career and Technical Educational (CET) programs, in accordance with Title VI of the Civil

Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination against students based the provisions listed above or on sex, including sexual harassment should be directed to Lindsey Foley, Executive Director of Human Resources, 302 Laurel Drive, Friendswood, Texas 77546, [lfoley@fisd12.net](mailto:lfoley@fisd12.net), 281-482-1267, the District Title IX Coordinator for students. [ltunnel@fisd12.net](mailto:ltunnel@fisd12.net), 281-482-1267. Questions or concerns about discrimination on the basis of a disability should be directed to Dahria Driskell, Executive Director of Special Education, 402 Laurel Drive, Friendswood, TX 77546, [ddriskell@fisd12.net](mailto:ddriskell@fisd12.net), 281-482-0687, the District ADA/Section 504 coordinator for students. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

## **STUDENT RECORDS** *Policy FL*

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

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

The student handbook provides parents and students with detailed information on student records. Parents or students who want to review student records should be directed to the campus principal for assistance.

## **PARENT AND STUDENT COMPLAINTS** *Policy FNG*

In an effort to hear and resolve parent and student complaints in a timely manner and at the lowest administrative level possible, the Board has adopted orderly processes for handling complaints on different issues. Any campus office or the Superintendent's office can provide parents and students with information on filing a complaint.

Parents are encouraged to discuss problems or complaints with the 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 the 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 examination or to treatment of the 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 cyberbullying, to campus administration. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

### **Bullying Prohibited**

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

### **Definition**

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

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

This conduct is considered bullying if it:

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

### **Examples**

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

### **Retaliation**

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

### **Examples**

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

### **False Claim**

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

### **Timely Reporting**

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

### **Reporting Procedures**

#### **Student Report:**

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

#### **Employee Report:**

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

#### **Report Format**

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

### **Prohibited Conduct**

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

### **Investigation of Report**

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

### **Concluding the Investigation**

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

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

### **Notice to Parents**

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

### **District Action**

#### **Bullying**

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

#### **Discipline**

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

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

#### **Corrective Action**

Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and

improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.

#### Transfers

The principal or designee shall refer to FDB for transfer provisions

#### Counseling

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

#### Improper Conduct

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

#### Confidentiality

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

#### Appeal

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

#### Records Retention

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

#### Access to Policy and Procedures

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

### **HAZING** *Policy FNCC*

Students must have prior approval from the principal or designee for any type of "initiation rites" of a school club or organization. While most initiation rites are permissible, engaging in or permitting "hazing" is a criminal offense. Any teacher, administrator, or employee who observes a student engaged in any form of hazing, or 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.

The Friendswood Independent School District Employee 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 and a brief explanation of district policies and procedures related to employment. Not all district policies and procedures are included. Those that are have been summarized. These policies can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. The Board Policy Manual should be consulted as the official source of information. District policies can be accessed online at [www.myfisd.com](http://www.myfisd.com).