



# Commerce ISD Employee Handbook

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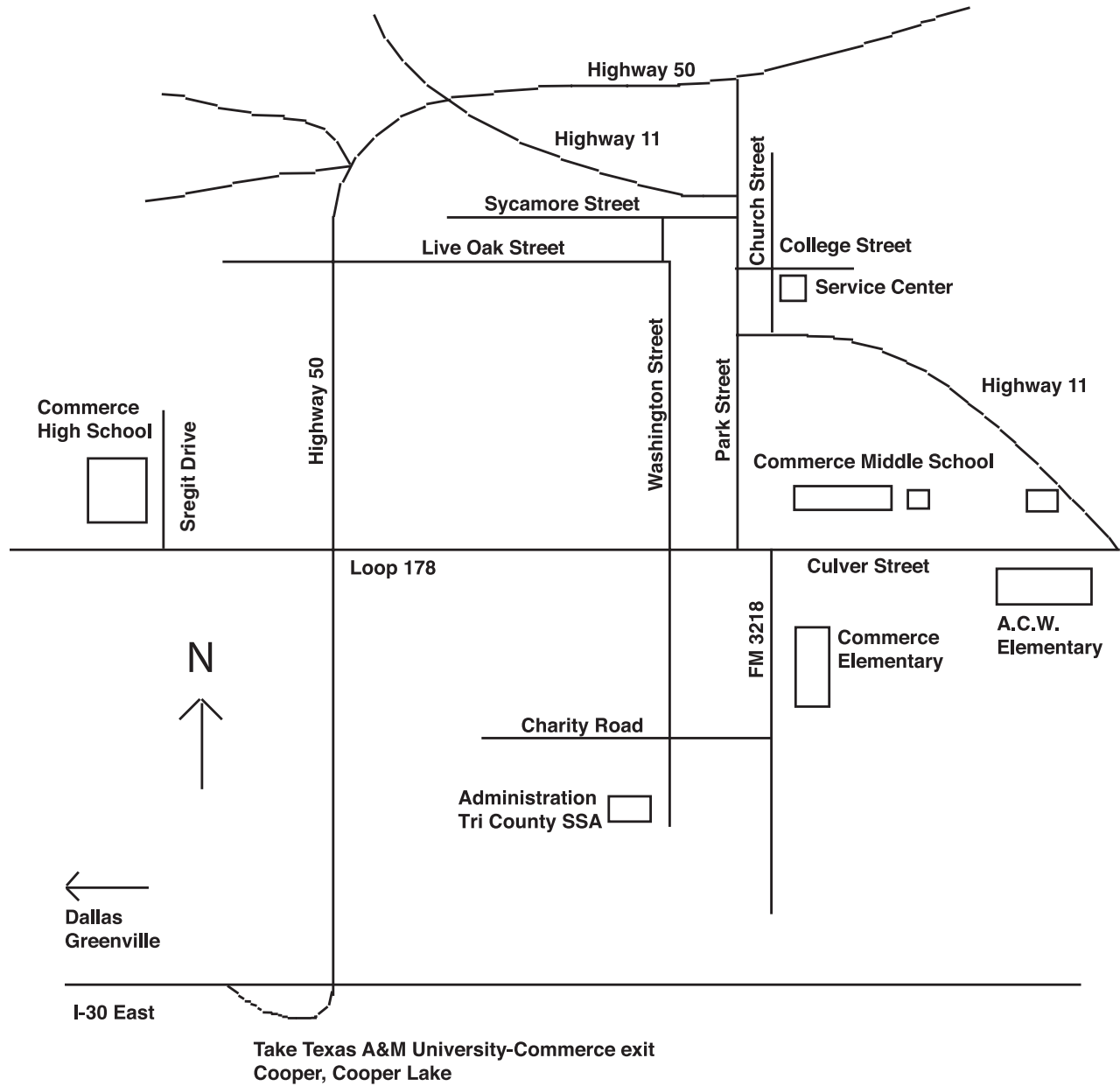
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# Introduction

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to the Superintendent.

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of employees in any way. Rather, it is a guide to and a brief explanation of district policies related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the policy codes that are associated with handbook topics, confer with their supervisor, or call the appropriate district office. The policy manual can be accessed via the Internet at [www.tasb.org/policy/pol/private/116903/](http://www.tasb.org/policy/pol/private/116903/).

# Commerce ISD



# District information

## Description

The four schools that make up Commerce ISD are a part of the proud heritage of educational excellence in the community. Commerce Elementary School houses students in Pre-K through second grade. A. C. Williams Elementary School provides instruction for third through fifth graders. Sixth, seventh and eighth graders attend Commerce Middle School and freshmen through seniors attend Commerce High School. Total enrollment is approximately 1500.

## Mission statement

In partnership with families and community, CISD will provide all students an exemplary education preparing them to be successful, productive citizens.

## District goals 2007–2012

- CISD will provide exemplary programs to ensure that all students are successful learners.
- CISD will maintain and improve facilities and support systems that enhance a positive learning environment and foster student and community pride.
- CISD will invest resources to ensure that students, parents and the community receive optimal educational services.
- CISD will provide timely, open communication and positive parental and community partnership opportunities in our schools.
- CISD will attract and retain qualified employees by providing competitive benefits, compensation and the training and tools necessary for success.

## Board of trustees

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

The board of trustees is elected by the citizens of the district to ensure a strong educational program for the district's children. Trustees are elected by place during the May General Election and serve three-year terms. Trustees serve without compensation, must be registered voters, and must reside in the district. Board members include Willie Blow (president), Bob McLeroy (vice president), Randy Starks (secretary), J. Russell Armstrong, Ted Oats, Medley Wilson and Gabe Wittkopf.

The board usually meets the third Monday of every month at 7 p.m. at the CISD Board Room at 3315 Washington St. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted at the Administration Building and on the district Web site (www.commerceisd.org) at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with two hours notice. All meetings are open to the public. In certain circumstances, Texas law permits the board to go into a closed session from which the public and others are excluded. Closed session may occur for such things as discussing prospective gifts or donations, real property acquisition, certain personnel matters including employee complaints, security matters, student discipline, or to consult with attorneys regarding pending litigation.

**Proposed Board meeting schedule for 2010–2011**

Monday, Sept. 20, 2010	Monday, Feb. 21, 2011
Monday, Oct. 18, 2010	Monday, Mar. 24, 2011
Monday, Nov. 15, 2010	Monday, April 18, 2011
Monday, Dec. 16, 2010	Monday, May 16, 2011
Tuesday, Jan. 18, 2011	Monday, June 20, 2011

**Administration**

**Central Office**

**Blake Cooper**, Superintendent. . . . .903-886-3755  
**John Walker**, Director of Finance . . . . .903-886-3751  
**Julia Robinson**, Director of Curriculum,  
 Special Programs & Grants . . . . .903-886-3755  
**Al Shipp**, Director of Technology . . . . . 903-886-0951  
**Ludonna Smithers**, Director of Personnel  
 & Communications . . . . .903-886-3755

**Schools**

**CHS** **Virddie Montgomery**, Principal. . . . .903-886-3756  
**Deanna Hays**, Assistant Principal . . . . .903-886-3756  
**Mark Dykes**, Assistant Principal . . . . .903-886-3756  
**CMS** **Patrick Just**, Principal . . . . . 903-886-3795  
**ACW** **Wes Underwood**, Principal . . . . .903-886-3758  
**Trish King**, Assistant Principal . . . . .903-886-3757  
**CES** **Bobbie Thurman**, Principal. . . . .903-886-3757  
**Diane Stegall**, Assistant Principal . . . . .903-886-3757

**Auxiliary Services**

**Scott Arledge**, Director of Maintenance  
 & Transportation. . . . . 903-468-8006  
**Jennifer Speulda**, Director of Health Services . . .903-886-3757  
**Carl Wells**, Director of Food Service . . . . . 903-468-8007

# COMMERCE ISD 2010-11

## Reporting Periods . . . . . Days

1. Aug. 23 – Oct 1 . . . . . 29
2. Oct. 4 – Nov. 5 . . . . . 25
3. Nov. 8 – Dec. 17 . . . . . 25

First Semester . . . . . 79 days

4. Jan. 4 – Feb. 18 . . . . . 33
5. Feb. 21 – April 15 . . . . . 35
6. April 18 – June 3 . . . . . 33

Second Semester . . . . . 101 days

Total school days . . . . . 180

Staff development/workdays . . . . . 7

Total days . . . . . 187

## Student Holidays

- Labor Day . . . . . Sept. 6
- Thanksgiving . . . . . Nov. 22–26
- Winter Break . . . . . Dec. 20–Jan. 3
- Martin L. King Day . . . . . Jan. 17
- Spring Break . . . . . March 14–18
- Bad Weather . . . . . May 6
- Memorial Day . . . . . May 30
- Bad Weather  
or Teacher Work Day . . . . . June 6

## Codes

- Ⓡ Districtwide Registration, 8/4–5
- NT** New Teacher Day, 8/13
- TE** Teacher Exchange Day, 8/16
- SD** Staff Development Day
- WD** Teacher Workday
- Student Holiday
- School Holiday
- [ Reporting Period Begins
- ] Reporting Period Ends
- BW** Bad Weather Day
- ER** Early Release
- Optional Flexible Year  
Middle & High Schools only  
Criteria: Pass most recent TAKS,  
pass all subjects, 90% attendance  
rate, no ISS or DAEP placements,  
other criteria to be determined by  
administrator.
- District closed

## Report cards released:

10/11, 11/11, 1/6, 2/24, 4/21, 6/3

## Progress reports released:

9/16, 10/28, 12/2, 1/27, 3/24, 5/12

## Early release:

9/27, 10/11, 11/1, 12/17, 2/14, 4/11

Graduation: May 27

### AUGUST 2010

S	M	T	W	TH	F	S
1	2	3	Ⓡ	Ⓡ	6	7
8	9	10	11	12	<b>NT</b>	14
15	<b>TE</b>	<b>SD</b>	<b>SD</b>	<b>SD</b>	<b>WD</b>	21
22	[23	24	25	26	27	28
29	30	31				

### SEPTEMBER 2010

S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	<b>ER</b>	28	29	30		

### OCTOBER 2010

S	M	T	W	TH	F	S
					1]	2
3	[4	5	6	7	8	9
10	<b>ER</b>	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

### NOVEMBER 2010

S	M	T	W	TH	F	S
	<b>ER</b>	2	3	4	5]	6
7	[8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

### DECEMBER 2010

S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	<b>ER]</b>	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

### JANUARY 2011

S	M	T	W	TH	F	S
						1
2	<b>WD SD</b>	[4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

### FEBRUARY 2011

S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	<b>ER</b>	15	16	17	18]	19
20	[21	22	23	24	25	26
27	28					

### MARCH 2011

S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

### APRIL 2011

S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	<b>ER</b>	12	13	14	15]	16
17	[18	19	20	21	22	23
24	25	26	27	28	29	30
31						

### MAY 2011

S	M	T	W	TH	F	S
1	2	3	4	5	<b>BW</b>	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

### JUNE 2011

S	M	T	W	TH	F	S
			1	2	3]	4
5	<b>BW</b>	<b>WD</b>	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

### JULY 2011

S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

# Employment

## **Equal employment opportunity**

Policies DAA, DIA

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

Employees with questions or concerns about discrimination on the basis of race, color, religion, sex, national origin, age or military status should contact the Title IX Coordinator Ludonna Smithers in the Central Office.

Employees with questions or concerns relating to discrimination on the basis of disability should contact Julia Robinson in the Central Office.

## **Job vacancy announcements**

Policy DC

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

## **Employment after retirement**

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

## **Contract and noncontract**

### Policies 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 and nurses under probationary, term, or continuing contracts. Employees in all other positions are employed at will or by a contract that is not subject to the procedures for nonrenewal or termination under Chapter 21 of the Texas Education Code. The paragraphs that follow provide a general description of the employment arrangements used by the district.

**Probationary contracts.** Nurses and full-time, professional employees new to the district and employed in positions requiring SBEC certification must receive probationary contracts during their first year of employment. Former employees who are hired after at least a two-year lapse in district employment also may be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed in public schools for at least five of the eight years preceding employment with the district may not exceed one full school year. For those with less experience, the probationary period will be three school years (i.e., three one-year contracts) with an optional fourth school year if the board determines it is unclear whether a term contract should be given.

**Term and continuing contracts.** Full-time professionals employed in positions requiring certification and nurses will be employed by term contract after they have successfully completed the probationary period. Teachers employed before January 1, 1993, are employed by continuing contract. Teachers employed after that date are employed by term contracts. Campus principals and central office administrators are employed under two-year term contracts after a one-year probationary contract period. The terms and conditions of employment are detailed in the contract and employment policies. All employees will receive a copy of their contract. Employment policies can be access online or copies will be provided upon request.

**Noncertified professional and administrative employees.** Employees in professional and administrative positions that do not require certification (such as noninstructional administrators) are employed by a contract that is not subject to the provisions for nonrenewal or termination under the Texas Education Code.

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

## **Searches and alcohol and drug testing**

### **Policy DHE**

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

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

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

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

**Health safety training**

## Policy DBA, DMA

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification in first aid, cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED). Certification must be issued by the American Red Cross, the American Heart Association or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification the Director of Health Services by the first day of school.

**Reassignments and transfers**

## Policy DK

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

Employees with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. Teachers requesting a transfer to another campus before the school year begins must submit his or her request by May 15. Requests for transfer during the school year will be considered only when the change will not adversely affect students and after a replacement has been found. All transfer requests will be coordinated by the Personnel Office and must be approved by the receiving supervisor.

**Workload and work schedules**

## Policies DEA, DL

Professional employees. Professional employees and academic administrators are exempt from overtime pay and are employed on a 187-, 192-, 197-, 207-, 216- or 226-day basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including required days of service and scheduled holidays will be distributed each school year.

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

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

**Notification to parents regarding qualifications**

**Policies DBA, DK**

In schools receiving Title I funds, the district is required by the No Child Left Behind Act (NCLB) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child's teacher. NCLB also requires that parents be notified if their child has been assigned, or taught for four or more consecutive weeks by a teacher who is not highly qualified.

Texas law also requires that parents be notified if their child is assigned a teacher for more than 30 consecutive instructional days who does not hold an appropriate teaching certificate. This notice is not required if parental notification under NCLB is sent. Inappropriately certified or uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) or individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call Ludonna Smithers, Director of Personnel.

**Outside employment**

**Policy DBD**

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

**Performance evaluation** Policies DN series

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

**Employee involvement** Policies BQA, BQB

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

**Staff development** Policy DMA

Staff development activities are organized to meet the needs of employees and the district. Staff development for instructional personnel is predominantly campus-based, related to achieving campus performance objectives, addressed in the campus improvement plan and approved by the campus-level advisory committee. Individuals holding renewable SBEC certificates are responsible for obtaining the required training hours and maintaining appropriate documentation. A database is maintained by the district for reporting staff development hours. Teachers and administrators are expected to keep hours logged on the database for each semester. The URL is <http://www.esc11.net>. User name for the district is 116903; password is commerceisd.

# Compensation and benefits

## **Salaries, wages and stipends**

### Policy DEA

Employees are paid in accordance with administrative guidelines and an established structure for each position. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professionals and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as nonexempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each overtime hour worked. Nonexempt employees must receive prior approval for overtime work from their supervisor.

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

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

## **Annualized Compensation**

### Policy DEA

The district pays all salaried employees over 12 months regardless of the number of months employed during the school year. Salaried employees will be paid in equal semimonthly payments, beginning with the first pay period of the school year which is September 15. Employees that separate after the last day of instruction will continue to receive paychecks through the end of the summer.

## **Paychecks**

All employees are paid on semimonthly on the 15th and 30th of each month.

Paychecks will be delivered to each campus and will not be released to any person other than the district employee named on the check without the employee's written authorization. During summer breaks, paychecks will be mailed. Change of address should be reported to payroll before the end of May.

## **Automatic payroll deposit**

Employees can have their paychecks electronically deposited into a designated account. A notification period of three weeks is necessary to activate this service. With automatic deposit, an employee's pay is immediately available on the pay date. Contact Donna Yoakum, payroll coordinator, for more information about the automatic payroll deposit service.

## **Payroll deductions**

### **Policy CFEA**

Automatic payroll deductions for the Texas Teacher Retirement System (TRS) and federal income tax are required for all full-time employees. Medicare tax deductions are required for all employees hired after March 31, 1986. Temporary and part-time employees who are not eligible for TRS membership must have their Social Security contributions deducted.

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities including 403(b)s; higher education savings plans and savings deposits and loan payments through Teachers Federal Credit Union. Employees may also request payroll deduction for payment of membership dues to professional organizations or charitable contributions to the United Way. Salary deductions are automatically made for unauthorized or unpaid leave.

## **Overtime compensation**

### **Policy DEA**

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only nonexempt employees (hourly employees and some paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.

Overtime is legally defined as all hours worked in excess of 40 hours in a work week and is not measured by the day or by the employee's regular work schedule. Nonexempt employees that are paid on a salary basis are paid for a 40-hour workweek and do not earn additional pay unless they work more than 40 hours.

For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Sunday and ends at midnight Saturday. Employees may be compensated for overtime with compensatory time off or direct pay at time-and-a-half rates. The following applies to all nonexempt employees:

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

**Travel expense reimbursement**

Policy DEE

Before any travel expenses are incurred by an employee, the employee's supervisor must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule authorized by the board of trustees and the Internal Revenue Service. Rates per diem for 2010-11 are 44.5 cents per mile and \$30 for meals. Employees must submit receipts to be reimbursed for expenses other than mileage and meals. Receipts should only include items for which reimbursement is due. Receipts including personal items will not be accepted.

**Health, dental and life insurance**

Policy CRD

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

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are regularly scheduled to work at least 10 hours per week. TRS retirees who are enrolled in TRS-Care (retiree health insurance program) and employees who are not contributing TRS members that are regularly scheduled to work less than 10 hours per week are not eligible to participate in TRS-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 summer. Detailed descriptions of insurance coverage, employee cost and eligibility requirements are provided to all employees in a separate booklet. Employees should contact Donna Yoakum for more information.

**Supplemental insurance benefits**

Policy CRD

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

**Cafeteria plan benefits (Section 125)**

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

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

**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. Workers' compensation coverage is from Claims Administrative Services. 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 supervisor. 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. See Workers' Compensation Benefits, page 25, for information on use of paid leave for such absences.

**Unemployment compensation insurance**

Policy CRF

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

**Teacher retirement**

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

Employees who plan to retire under TRS should notify Donna Yoakum, payroll coordinator, as soon as possible. Information on the application procedures for TRS benefits are available from payroll. Additional inquiries should be addressed to: Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-397-6400. TRS information is also available on the web at [www.trs.state.tx.us](http://www.trs.state.tx.us). See page 8 for information on restrictions of employment of retirees in Texas public schools.

**Other benefit programs**

Policy DEB

Children of employees not residing in the district may attend CISD tuition free; however, they must meet the district standards for admission and they must apply for transfer by August 1 to be considered for enrollment in the upcoming school year.

Standards that must be met include good attendance, discipline and academic records from their prior school. Transfers of employees' children during the year will not be allowed. A new employee may request transfer approval when they are hired. Transfer application forms are available in the Superintendent's office.

The District offers, on a space-available basis, tuition-supported prekindergarten for children of District employees. To qualify, the student must be four years of age on September 1 of the school year of enrollment. The tuition rate is \$400 per semester.

### **New hire incentive**

Beginning September 1, 2001, Commerce ISD provided an incentive for a classroom teacher, librarian, nurse or counselor to recommend a qualified person for employment in a professional position. An employee in the categories mentioned above will receive \$250 if someone they recommend is hired under a professional contract. Payment will be made in September. An additional \$250 will be given in July if the new hire is recommended for contract renewal and stays under contract through the resignation deadline, which is 45 days before the first day of instruction. To recommend someone for professional employment, send a written recommendation to the personnel director.

### **Advanced degree stipend**

Teachers will receive a stipend of \$1000 per year after they receive their master's degree. Teachers with doctoral degrees will receive a \$1500 stipend. If a teacher completes a degree during mid year, half the stipend amount is prorated. Official transcripts, documenting the advanced degree, must be turned in to the payroll department.

## **Leaves and absences**

### **Policy DEC, DECA, DECB**

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who expect to be absent for an extended period of more than five days should call Donna Yoakum, payroll coordinator, for information about applicable leave options, continuation of benefits, and communicating with the district.

### **Use of leave**

Leave is available for the employee's use at the beginning of the school year. However, state personal and local leave is earned at a rate of one-half workday for each 18 workdays of employment up to five state days and five local days. If an employee leaves the district before the end of the work year, the cost of any unearned leave days shall be deducted from the employee's final paycheck.

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

Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

## **Personal leave**

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

**Nondiscretionary.** Leave taken for personal or family illness, emergency, or a death in the family is considered nondiscretionary leave. Reasons for this type of leave allow very little if any advanced planning and will be granted to employees in the same manner as state sick leave.

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

- A maximum of ten percent of campus employees in each job category will be permitted to take discretionary personal leave at the same time. The effect of the employee’s absence on the educational program or department operations as well as availability of substitutes will be considered by the principal or supervisor.
- Discretionary leave may not last more than three consecutive work days.
- Discretionary leave may not be taken on the following key days: on the day before a school holiday, the day after a school holiday, days scheduled for end-of-semester or end-of-year

exams, days scheduled for TAKS tests, or professional or staff development days. Noninstructional employees are exempt from the schedule limitations listed in this paragraph.

### **State sick leave**

State sick leave accumulated prior to 1995–1996 is available for use and may be transferred to other school districts in Texas. Sick leave can be used only in whole or half-day increments except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis and workers' compensation benefits.

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 sick leave**

All employees shall earn an additional five equivalent workdays of local sick leave per school year, at a rate of one-half workday for each 18 workdays of employment. Local sick leave will be allowed to accumulate to a maximum of 40 days.

Local sick leave shall be used under the terms and conditions applicable to state sick leave accumulated prior to the 1995–96 school year as stated above, except as otherwise provided by this policy.

### **Temporary disability**

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

Employees must request approval for temporary disability leave. An employee's notification of need for extended absence due to the employee's own medical condition shall be accepted as a request for temporary disability leave. The leave request must be accompanied by a physician's statement confirming the employee's inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 calendar days. If disability leave is not approved, the employee must return to work or be subject to termination procedures.

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

When an employee is ready to return to work, the superintendent and immediate supervisor should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Professional employees returning from leave will be reinstated to the school to which they were previously assigned as soon as an appropriate position is available. If a position is not available before the end of the school year, professional employees will be reinstated at the beginning of the following school year.

**Family and medical leave**

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.

**Basic leave entitlement**

The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

**Military family leave entitlement**

Eligible employees with a spouse, son, daughter or parent on active duty or call to active military duty and deployed in a foreign country may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember

is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. It also includes a family member who is a veteran with an illness or injury that occurs in the line of duty while on active duty and manifests itself before or after the servicemember became a veteran. The veteran must have been on active duty during the five years preceding the need for treatment, recuperation or therapy.

**Benefits and protections**

During FML, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FML, most employees must be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms.

Use of FML cannot result in the loss of any employment benefit that accrued prior to the start of the employee's leave.

**Eligibility requirements**

Employees are eligible if they have worked for a covered employer for at least one year, for 1250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

**Definition of serious health condition**

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

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

**Use of Leave**

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

CISD requires use of accrued paid leave while taking FML.

**Employee responsibilities**

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

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

**Employer responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FML and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FML, the employer must notify the employee.

**Unlawful Acts of employers**

The FMLA makes it unlawful for any employer to:

- Interfere with, restrain or deny the exercise of any right protected under the FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

**Enforcement**

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

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

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)

<b>Local family medical leave provisions</b>	Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period beginning on the first duty day of the school year.
<b>Use of paid leave</b>	Family and medical leave 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 family and medical leave, if applicable, and notify the employee that accumulated leave will run concurrently.
<b>Combined leave for spouses</b>	A husband and wife who are both 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.
<b>Intermittent leave</b>	When medically necessary, an employee may take leave intermittently or on a reduced schedule. The district does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.
<b>Workers' compensation benefits</b>	<p>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.</p> <p>An employee receiving workers' compensation wage benefits for a job-related injury may use sick leave or any other leave benefit. While an employee is receiving workers' compensation wage benefits, the district will charge available leave proportionately so that the employee receives an amount equal to the employee's regular salary.</p>
<b>Assault leave</b>	<p>Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.</p> <p>An employee who is physically assaulted at work may take all the leave time necessary (up to two years) to recover from the physical injuries he or she sustained. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.</p>

<b>Bereavement leave</b>	Use of state leave and/or local sick leave for death in the immediate family shall not exceed five workdays per occurrence, subject to the approval of the District.
<b>Jury duty</b>	Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and may keep compensation they receive.
<b>Other court appearances</b>	Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Employees may be required to submit documentation of their need for leave for court appearances.
<b>Military leave</b>	<p><b>Paid leave for military service.</b> Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve component of the United States Armed Forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days per year each federal fiscal year (October 1–September 30). In addition, an employee is entitled to use available state personal and local sick leave during a time of active military service.</p> <p><b>Reemployment after military leave.</b> Employees who leave the district to enter into the United States uniformed services or who are ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed in the position they would have held of employment had not been interrupted or reassigned to an equivalent or similar position provided they can be qualified to perform the require duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment to the Superintendent. In most cases, the length of military service cannot exceed five years, and the employees must apply for reemployment within the period of time specified by law.</p> <p><b>Continuation of health insurance.</b> 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 central office for details on eligibility, requirements, and limitations.</p>
<b>Sick leave pool</b>	<p>Policy DEC</p> <p>An employee who suffers from a catastrophic illness or injury or is absent due to the catastrophic illness or injury of a member</p>

of the employee's immediate family may request the establishment of a sick leave pool, to which District employees may donate only local leave for use by the eligible employee. If the employee is unable to submit the request, a member of the employee's family or the employee's supervisor may submit the request to establish a sick leave pool.

The employee in crisis must have exhausted all leave and be out for an extended period of 10 or more consecutive working days.

Requests to initiate the pool should be directed to Donna Yoakum, payroll supervisor. Employees may donate up to two local days to the pool. Days are taken from donors in the order that they are donated. If days are not used by the employee in crisis, they are not taken from the donor.

An employee in crisis may receive up to a maximum of 30 days of leave from donated days.

## **Absence control**

### **DEC Local**

Contract employees who have four or more unauthorized workday absences will be recommended for termination in accordance with this policy, other applicable policies and applicable law.

Non-contract employees who have four or more unauthorized workday absences will be terminated. (See D series policies.)

### **Definitions**

(a) Unauthorized absence in this policy means failure to appear for work when no leave applies to the absence and the absence is not excused on any other basis in policy or law. Elective leaves, if any, apply to and excuse an absence only when the leave has been duly elected by the employee and approved by the District, and the absence qualifies for and falls within the leave period.

(b) Workdays are those days that the employee is required to perform services for the District in compliance with policy and the employment agreement between the parties.

(c) Four or more unauthorized workday absences is excessive.

## **Professional meeting attendance**

### **Policy DMD**

District employees may be permitted to attend meetings of professional organizations during a work day, with pay, if a direct school-related purpose will be accomplished. Such release time shall not be granted if the meetings are primarily to pursue the business of the organization.

# Employee relations

## **Employee recognition and appreciation**

### Policy DJ

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, and through special events and activities such as the CISD Service Awards Presentation, Star Awards for auxiliary staff and Teacher of the Year Awards.

# Complaints and grievances

### Policy DGBA

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

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

## **Guiding Principles**

### **Informal process**

The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

### **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.

<b>Formal process</b>	<p>If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.</p> <p>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.</p> <p>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.</p>
<b>Notice to employees</b>	The District shall inform employees of this policy.
<b>Freedom from retaliation</b>	Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.
<b>Whistleblower complaints</b>	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]
<b>Complaints against supervisors</b>	Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaints alleging a violation of law by the Superintendent may be made directly to the Board or designee.
<b>Complaints</b>	In this policy, the terms “complaint” and “grievance” shall have the same meaning. This policy shall apply to all employee complaints, except as provided below.
<b>Exceptions</b>	<p>This policy shall not apply to:</p> <ol style="list-style-type: none"> <li>1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability). [See DIA]</li> <li>2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violations of Title VII. [See DIA]</li> <li>3. Complaints concerning retaliation relating to discrimination and harassment. [See DIA]</li> <li>4. Complaints concerning instructional materials. [See EFA]</li> <li>5. Complaints concerning a commissioned peace officer who is an employee of the District. [See CKE]</li> <li>6. Complaints arising from the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code. [See DFBB]</li> </ol>

7. Complaints arising from 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. [See DFAA, DFBA, or DFCA, respectively]

## **General Provisions**

### **Filing**

Complaint forms and appeal notices may be filed by hand-delivery, fax, or 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. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. 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.

### **Response**

At Levels One and Two, “response” shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered 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.

### **Consolidating complaints**

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not bring 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 form**

Complaints 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 form that is incomplete in any material aspect may be dismissed, but may be refiled with all the required information if the refiled is within the designated time for filing a complaint.

**Audio recording**

As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing. 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 hold a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

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 hold a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues presented by the employee at Level One and identified in the Level Two appeal notice. 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 complaint. The employee may request a copy of the Level Two record.

The Level Two record shall include:

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

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 interests of the district and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor as early as possible (preferably in advance) in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, and tardiness may be cause for disciplinary action.
- Know and comply with department and district procedures and policies.
- 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 policy and ethical standards

for professional educators. 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 first learns of the incident. See Reports to the State Board for Educator Certification, page 59, for additional information. The Code of Ethics and Standard Practices for Texas Educators is reprinted on page 54.

**Discrimination, harassment and retaliation**

Policies DH, DIA

Employees shall not engage in prohibited harassment, including sexual harassment, of other employees 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. Employees who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal, supervisor or district official is the subject of a complaint, the employee should report the complaint directly to the superintendent. A complaint against the superintendent may be made directly to the board.

The district's policy that includes definitions and procedures for reporting and investigating discrimination, harassment and retaliation is reprinted below:

**Statement of Nondiscrimination**

The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.

**Discrimination**

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

**Harassment**

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment or employment opportunities.

**Sexual harassment** Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

**Retaliation** The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.

**Prohibited conduct** In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

**Reporting procedures** An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.

Alternatively, the employee may report the alleged acts to one of the District officials below.

**Definition of district officials** For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

**Title IX coordinator** Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended: Ludonna Smithers, Director of Personnel and Communications, 903-886-3755.

**ADA / Section 504 Coordinator**

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973: Julia Robinson, Executive Director of Curriculum & Personnel, 903-886-3755.

**Superintendent**

The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

**Alternative reporting procedures**

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

**Timely reporting**

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

**Notice of report**

Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

**Investigation of the report**

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

**Concluding the investigation**

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

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

**District action**

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

**Confidentiality**

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

**Appeal**

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

The complainant may have a right to file a complaint with appropriate state or federal agencies.

**Records retention**

Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years. [See CPC]

**Access to policy**

This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.

**Harassment of students**

Policies DF, DH, FFG, FFH  
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. 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 suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See Reporting suspected child abuse, page 44 for additional information.

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

"Solicitation of a romantic relationship" means deliberate or repeated acts that can be reasonably interpreted as soliciting a relationship characterized by an ardent emotional attachment or pattern of exclusivity. Acts that constitute the solicitation of a romantic relationship include:

1. Behavior, gestures, expressions, communications, or a pattern of communication with a student that is unrelated to the educator's job duties and that may reasonably be interpreted as encouraging the student to form an ardent or exclusive emotional attachment to the educator, including statements of love, affection, or attraction. When evaluating whether communications constitute the solicitation of a romantic relationship, the following may be considered:
  - 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 to which the educator attempted to conceal the communications;
  - f. If the educator claims to be counseling a student, TEA staff may consider whether the educator's job duties included counseling, whether the educator reported the subject of the counseling to the student's guardians or to the appropriate school personnel, or, in the case of alleged abuse or neglect, whether the educator reported the abuse or neglect to the appropriate law enforcement agencies; and
  - g. Any other communications tending to show that the educator solicited a romantic relationship with a student.

2. Making inappropriate comments about a student's body.
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.
7. Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.
8. Inappropriate hugging, kissing, or excessive touching.
9. Suggestions that a romantic relationship is desired after the student graduates, including post-graduation plans for dating or marriage.
10. Any other acts tending to show that the educator solicited a romantic relationship with the student, including providing the student with drugs or alcohol.

Any other person who knows or believes that a student has experienced prohibited harassment should immediately report the alleged acts to the appropriate person designated below. Reports of known or suspected child abuse or neglect shall be made as required by law. [See FFG]

**Statement of nondiscrimination**

The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, gender, national origin, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy.

**Discrimination**

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, gender, national origin, disability, or on any other basis prohibited by law, that adversely affects the student.

**Prohibited harassment**

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, gender, national origin, disability, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Prohibited harassment includes dating violence as defined by this policy.

### **Sexual harassment by an employee**

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.

### **By others**

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

### **Dating violence**

Dating violence occurs when one partner in a dating relationship, either past or current, intentionally uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other partner.

Examples of dating violence against a student may include physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of

the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

### **Retaliation**

The District prohibits retaliation against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding discrimination or harassment, including dating violence, is subject to appropriate discipline.

### **Prohibited conduct**

In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

### **Reporting procedures**

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, counselor, principal, or other District employee.

Alternatively, a student may report prohibited conduct directly to one of the District officials below:

### **Definition of district officials**

For the purposes of this policy, District officials are the Title IX coordinator (Ludonna Smithers 903-886-3755), the Section 504 coordinator (Julia Robinson 903-886-3755), and the Superintendent.

The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

**Alternative reporting procedures**

A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

**Timely reporting**

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

**Notice of report**

Any District employee who receives notice that a student has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

**Notice to parents**

The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.

**Investigation of the report**

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form.

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

**Concluding the investigation**

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

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

**District action**

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

**Confidentiality**

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

**Appeal**

A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

**Records retention**

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

**Access to policy**

Information regarding this policy shall be distributed annually to District employees and included in the student handbook. Copies of the policy shall be readily available at each campus and the District's administrative offices.

**Alcohol- and drug-abuse prevention**

Policies DH, DI  
Commerce ISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of illegal drugs in the workplace or 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 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.

The District prohibits the unlawful distribution, possession, or use of illicit drugs and alcohol on school premises or as part of any of the District’s activities.

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

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

**Reporting suspected child abuse**

Policies DF, DG, DH, FFG, GRA

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Services or appropriate state agency (e.g.: state agency operating, licensing, certifying, or registering facility) within 48 hours of the event that led to the suspicion. Abuse is defined by Texas Family Code and also includes any sexual conduct involving an educator and a student or minor. Reports to Child Protective Services can be made to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person to make the report.

Under state law, any person reporting or assisting in the investigation of reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from retaliating against an employee who, in good faith, reports child abuse or

neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

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

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agencies. In addition, employees must cooperate with child abuse and neglect investigators. Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. Interference with a child 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.

### **Child sexual abuse**

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. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to a law enforcement officer or to Child Protective Services (CPS).

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

### **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 includes the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft or any other financial document
- Misappropriation of funds, securities, supplies or other district assets, including employee time.

- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors or other persons providing services or materials to the district
- Destroying, removing or inappropriately using records, furniture, fixtures or equipment
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the district

### **Conflict of interest**

#### Policy DBD

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

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

### **Gifts and favors**

#### Policy DBD

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor or service by an administrator or teacher that might reasonably tend to influence the selection of textbooks may result in prosecution of a class B misdemeanor offense. This does not include staff development, teacher training or instructional materials, such as maps or worksheets, that convey information to students or contribute to the learning process. Employees shall not recommend, endorse, or require students to purchase any product, material, or service in which they have a financial interest or that is sold by a company that employs the District employee during nonschool hours. Professional employees shall not recommend or require students to purchase a specific brand of school supplies if there are other brands that are equal and suitable for the intended instructional purpose.

Employees shall not use their positions with the District to gain entrance to a home within the District or to obtain an audience with any District resident for the purpose of attempting to sell products or services.

## **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 worktime for political activities is prohibited.

## **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. To prevent or minimize injuries to employees, coworkers, and students, and to protect and conserve district equipment, employees must comply with the following requirement:

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

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

## **Tobacco use**

### **Policies DH, GKA, FNCD**

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

**Criminal history background checks**

Employees may be subject to a review of their criminal history 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.

**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, any offense involving moral turpitude and any of the other offenses listed below:

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

Moral turpitude includes the following:

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

**Possession of weapons** Policies FNCG, GKA

Employees, visitors, and students are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisors or call the superintendent immediately.

**Workplace visitors**

## 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, list the reason for the visit and display his or her driver's license or other government-issued form of photographic ID prior to proceeding elsewhere on campus. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on the district premises should immediately direct him or her to the building office or contact the administrator in charge.

**Copyrighted materials**

## Policy EFE

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

**Computer use and data management**

## Policy CQ

The district's electronic communications systems, including its network access to the Internet, is primarily for administrative and instructional purposes. Limited personal use of the system is permitted if the use:

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

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

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

## **Personal use of electronic media**

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). Electronic media 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 media as they are for any other public conduct. If an employee's use of electronic media 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 media 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 not use the district's logo or other copyrighted material of the district without express, written consent.
- 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, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, or on 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 Policy DH (Exhibit)]
  - > Confidentiality of district records, including educator evaluations and private e-mail addresses. [See Policy GBA]

- > Copyright law [See Policy EFE]
- > Prohibition against harming others by knowingly making false statements about a colleague or the school system. [See Policy DH (Exhibit)]

**Asbestos management plan**

Policy CKA

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

**Pest control treatment**

Policies CLB, DI

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located at the entrances to the buildings. Pest control information sheets are available from Scott Arledge, director of maintenance, upon request.

**Activity funds management**

Policy CFD

Each school shall have and maintain a student activities account to manage class funds, organization funds and any other funds into which students have put money in the name of the school. All monies collected shall be receipted by the principal or a designee and deposited to the appropriate District account at the District depository on the same day if possible.

All funds raised by student organizations must be expended for the benefit of students and all disbursements must be approved by the principal.

# Staff Dress Guidelines: Elementary

The campus principal and/or supervisor will be solely responsible for initially interpreting and enforcing the professional dress requirements.

The principal may approve variations in the professional dress code for special situations such as field day, field trips, spirit days, special themes, etc.

Dress professionally and take pride in your appearance. Clothes should be clean, neat, pressed, or unwrinkled. Staff should dress for their assignment. PE staff will be permitted to wear shirts, pants, and athletic shoes approved by the principal in the classroom area.

## Acceptable

- Full-length slacks/pants
- Capri pants — calf-length and loose fitting
- Cropped pants
- Pantsuits
- Dress or skirt — falling at or just above the knee or longer
- Blouses, sweaters, knit tops, shirts with or without sleeves
- Denim shirts, dresses or jackets
- Shoes — dress shoes, pumps, loafers, boots, open to slide style dress sandal with heel, between the toe strap as long as shoe has a heel; canvas or athletic type shoes
- Scrubs (based on job assignment)

## Unacceptable

- Jeans (of any color) or pants of any denim type fabric
- Leggings/stirrup pants
- Low-fitting, hip-hugger pants
- Low-cut, plunging necklines
- Tight, revealing clothing
- See-through blouses, spaghetti-strap dress/top, backless apparel, exposed midriff/back area
- T-shirts other than school spirit shirts on designated days
- Sweatshirts other than school spirit designated or seasonal motif
- Overalls
- Shorts
- Cargo/carpenter pants
- Camouflage
- Velcro and flip flop/beach style sandals; flat-bottomed shoes
- Beach style clothing
- Visible tattoos
- Any visible body piercing with exception of ear lobes.

# Staff Dress Guidelines: Secondary Schools

## **Acceptable—Everyone**

- Dress professionally and take pride in your appearance. (Clothes should be clean ironed, pressed, or unwrinkled)
- Full length slacks/pants- ex. Khaki, wash and wear, casual, or dress slacks
- Collared shirt— ex. Polo, golf style, or dress shirt
- Sport coat or sweater
- Button front shirt or blouse
- Turtleneck
- Appropriate undergarments
- Hair and facial hair will be clean and well groomed
- Shirts to be tucked in when applicable
- PE /coaching staff will be permitted to wear shirts, pants, and athletic shoes approved by the principal in the classroom area.

## **Unacceptable— Everyone**

- Torn, ripped, bleached, faded clothing
- No “denim blue” jeans
- T-Shirts
- Overalls
- Shorts
- Wind pants/warm-ups
- Cargo/carpenter pants
- Camouflage
- Velcro and flip flop/beach style sandals
- Athletic Shoes
- Visible tattoos
- Any visible body piercing— ex. nose ring, tongue ring
- V-neck sweater with T-shirt exposed
- Sweatshirt

## **Acceptable—Men**

- Tie preferred and encouraged.
- Collared shirt, banded collar shirt, dress shirt, designed to be tucked in the pants
- Belt with slacks if loops are visible
- Socks worn with all footwear

## **Unacceptable—Men**

- V-neck sweater with T-shirt exposed
- Sweatshirt

## **Acceptable—Women**

- Dress or skirt— falling at or just above the knee or longer
- Pants/slacks
- Pantsuits
- Blouses, sweaters, knit tops, round-neck shirts
- Capri pants calf length and loose fitting
- Shoes— dress shoes, pumps, suede, loafer-style, and boots
- Open-toe slide style dress sandal with heel is acceptable

## **Unacceptable—Women**

- Leggings/stirrup pants
- Low cut, tight, revealing clothing
- Dress/skirts more than three inches above the knee.
- See-through blouses, spaghetti strap dress/tops, backless apparel, exposed midriff, low necklines.

# Code of Ethics and Standard Practices for Texas Educators

## Statement of Purpose

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community.

## PROFESSIONAL STANDARDS

### I. Professional Ethical Conduct, Practices and Performance

- Standard 1.1.** The educator shall not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.
- Standard 1.2.** The educator shall not knowingly misappropriate, divert or use monies, personnel, property or equipment committed to his or her charge for personal gain or advantage.

**Standard 1.3.** The educator shall not submit fraudulent 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 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.

## II. Ethical Conduct Toward Professional Colleagues

- Standard 2.1.** The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
- Standard 2.2.** The educator shall not harm others by knowingly making false statements about a colleague or the school system.
- Standard 2.3.** The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
- Standard 2.4.** The educator shall not interfere with a colleague's exercise of political, professional or citizenship rights and responsibilities.
- Standard 2.5.** The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, sex, disability, or family status.
- Standard 2.6.** The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
- Standard 2.7.** The educator shall not retaliate against any individual who has filed a complaint with the SBEC under this chapter.

## III. Ethical Conduct Toward Students

- Standard 3.1.** The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
- Standard 3.2.** The educator shall not knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health or safety.
- Standard 3.3.** The educator shall not deliberately or knowingly misrepresent facts regarding a student.
- Standard 3.4.** The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, sex, disability, national origin, religion, or family status.
- Standard 3.5.** The educator shall not engage in physical mistreatment of a student.
- Standard 3.6.** The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student.
- Standard 3.7.** The educator shall not furnish alcohol or illegal/ unauthorized drugs to any student or knowingly allow any student to consume alcohol or illegal/ unauthorized drugs in the presence of the educator.

# General procedures

## **Bad weather closing**

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

Radio KETR 89 FM  
KLAK 97.5 FM  
KGVV 1400 AM  
KSST 1230 AM  
KISS 106.1 FM  
MIXX 102.9 FM  
Lone Star 92.5 FM  
Cowboy 1190 AM  
La Preciosa 97.1 FM

TV KXAS Channel 5  
KDFW Channel 4  
WFAA Channel 8  
KTVT Channel 11

A SchoolMessenger phone call, e-mail and text message will also be sent to all people listed in the student's contact information.

## **Emergencies**

Policies CKC, CKD

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

## **Purchasing procedures** Policy CH

All requests for purchases must be through the accounting software. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact immediate supervisor and/or accounts payable clerk for additional information on purchasing procedures.

**Name and address changes**

It is important that employment records be kept up to date. Employees should notify the payroll office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary.

**Personnel records****Policy GBA**

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

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

The choice to not allow public access to this information may be made at any time by submitting a written request to Donna Yoakum, payroll coordinator. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public.

**Building use****Policies GKD**

Scheduling the use of facilities after school hours is handled in the superintendent's office. Contact Bonnie Hunter, secretary to the superintendent, at 903-886-3755 to request to use school facilities and obtain information on the fees charged.

# Termination of employment

## Resignations

Policy DFE

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

The superintendent will notify the State Board for Educator Certification when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed on the following page. (See Reports to the State Board of Educator Certification, page 53.)

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

## Dismissal or nonrenewal of contract employees

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

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employee on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The timelines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or whose certification is revoked for misconduct. Information on the timelines and procedures can be found in the DF policies that are provided to employees online at [www.tasb.org/policy/pol/private/116903/](http://www.tasb.org/policy/pol/private/116903/).

## Dismissal of noncontract employees

Policy DCD

Noncontract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the district to dismiss any employee for reasons of race, color, religion, gender, 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 when pursuing the grievance. (See Complaints and grievances, page 27.)

**Exit interviews and procedures**

**Policy DC**

Exit interview questionnaires will be mailed to all employees leaving the district. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided. Separating employees are asked to provide the district with a forwarding address and phone number and complete a questionnaire that provides the district with feedback on their employment experience. All district keys, books, property, and equipment must be returned upon separation from employment.

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

**Policy DF**

The dismissal or resignation of a certified employee will be reported to the State Board of Educator Certification when the superintendent first learns about an alleged incident of conduct that involves the following:

- A reported criminal history
- Any form of sexual or physical abuse of a minor or any other illegal conduct with a student or a minor
- Soliciting or engaging in sexual conduct or a romantic relationship with a student or minor
- The possession, transfer, sale, or distribution of a controlled substance
- The illegal transfer, appropriation, or expenditure of school property or funds
- An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position
- Committing a crime on school property or at a school-sponsored event.
- Violating assessment instrument security procedures.

**Reports concerning court-ordered withholding**

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

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

# Student issues

## **Equal educational opportunities**

### Policies FB, FFH

The Commerce ISD does not discriminate on the basis of race, religion, color, national origin, gender, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended. Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to the Title IX coordinator Ludonna Smithers at 903-886-3755. Questions or concerns about discrimination on the basis of a disability should be directed to Julia Robinson, CISD, P.O. Box 1251, Commerce, TX 75429, 903-468-8022.

## **Student records**

### Policy FL

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

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

- Parents: Married, separated or divorced unless parental rights have been legally terminated and the school has been given a copy of the court order terminating parental rights
- The student (if 18 or older or emancipated by a court)
- School officials with legitimate educational interests

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

## **Parent and student complaints**

### Policy FNG

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

Parents are encouraged to discuss problems or complaints with the teachers or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

<b>Administering medication to students</b>	<p>Policy FFAC</p> <p>Only designated employees can administer prescription medication, nonprescription medication and herbal or dietary supplements to students. A student who must take 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 nurse for information on procedures that must be followed for administering medication at school.</p>
<b>Dietary supplements</b>	<p>Policies DH, FFAC</p> <p>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.</p>
<b>Psychotropic drugs</b>	<p>Policy FFAC</p> <p>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.</p> <p>District employees are prohibited by state law from doing the following:</p> <ul style="list-style-type: none"> <li>• Recommending that a student use a psychotropic drug</li> <li>• Suggesting a particular diagnosis</li> <li>• Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student.</li> </ul>
<b>Student conduct and discipline</b>	<p>Policy FN Series and FO Series</p> <p>Students are expected to follow the campus rules, classroom rules and rules listed in the Student Code of Conduct and student handbook. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management procedures that have been adopted by the district. Other employees that have concerns about a particular student's conduct should contact the classroom teacher or campus principal.</p>
<b>Student attendance</b>	<p>Policy FEB</p> <p>Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require students to have parental consent before they are al-</p>

lowed 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**

All employees are required to report student complaints of bullying to the campus principal. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

## **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 promptly re-port may impair the District's ability to investigate and address the prohibited conduct.

## **Reporting procedures**

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. A report may be made orally or in writing.

## **Notice of report**

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

## **Investigation of report**

If a report is made orally, the campus principal or designee shall reduce the report to written form.

The campus principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, and if so proceed under that policy instead.

The campus principal or designee shall conduct an appropriate investigation based on the allegations in the report. The campus 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 report; however, the campus principal or designee shall take additional time if necessary to complete a thorough investigation.

The campus principal or designee shall prepare a **written** report of the investigation, including a determination of whether bullying occurred, and send a copy to the Superintendent or designee.

**District action**

If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the District's Student Code of Conduct. [For information on student transfers due to bullying, see FDB.]

The District may take action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of bullying under this policy.

**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.

**Hazing****Policy FNCC**

Students must have prior approval from the principal or designee for any time 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 in any form of hazing, who has reason to know or suspect that a student intends to engage in hazing, or has engaged in hazing must report that fact or suspicion to the designated campus administrator.

# Appendix

CISD Support Personnel

## **Addendum to Employee Handbook for Maintenance, Transportation Workers and Paraprofessionals**

### **Employee conduct**

The conduct of CISD employees should be exemplary. The following guidelines and expectations are part of Commerce ISD standards of excellence.

### **Personal appearance**

All employees should be neat and clean in appearance. Employees should keep hair clean and well groomed. Sunglasses, baseball caps, headsets, or other attire or accessories which students are not permitted to wear should not be worn indoors. Full-time Maintenance and Transportation employees are furnished uniforms.

### **Personal possessions of employees**

Employees are encouraged not to bring money, jewelry, or other valuables to work. CISD is not responsible for lost articles.

### **Attitude**

A CISD employee should:

- a. Have respect for and pride in the school and their work.
- b. Treat students and staff with kindness, respect and courtesy.
- c. Have a sense of loyalty to CISD, his/her school, and fellow workers.
- d. Have an open mind and be willing to make changes for improvement.
- e. Be willing to work harmoniously with other workers.
- f. Have a good sense of humor, and a kind, patient, friendly disposition.
- g. Be willing to accept his/her share of the responsibility in all areas.
- h. Not let personal likes and dislikes of duties or teachers influence the children.
- i. Leave personal problems, gossip and gripes at home.
- j. Not discuss problems pertaining to his/her assignment with others. These should be discussed with the director.
- k. Be willing to accept constructive criticism and eager to help students, faculty, and fellow employees.
- l. Be supportive of and loyal to CISD policies and procedures.

## **Work habits**

An employee will:

- a. Report to work on time ready to accept job duties.
- b. Work quietly and avoid unnecessary visiting during working hours.
- c. Follow work schedules and organize job duties to save time and motion.
- d. Keep work space clean and orderly while performing job assignments.
- e. Understand directions before starting a job and follow them carefully. Ask the director for explanations if necessary.
- f. Use equipment and supplies appropriately.
- g. Use carts and dollies to save steps, avoid injuries.
- h. Try to eliminate the waste of fuel and supplies.
- i. Keep work space organized and orderly.

## **Reasons for dismissal**

The CISD Board of Trustees through its designee may terminate the employment relationship at any time, for any reason, except as otherwise provided by law.

All employees who terminate employment must return district property (including this handbook) to their supervisor and schedule an exit interview with the Personnel Office by calling 903-886-3755.

Grounds for dismissal include, but are not limited to:

1. Violating district or department rules and/or regulations.
2. Taking food, money, supplies, or equipment from school property without proper authorization. Dismissal will be immediate.
3. Proven dishonesty.
4. Deceptively or inaccurately recording hours worked on timesheets.
5. Consuming alcohol, drugs, or tobacco on school property or possessing alcohol or drugs on school property.
6. Insubordination or discourteous conduct.
7. Falsifying personnel or school records.
8. Leaving the assigned work area or department without the campus supervisor or director's permission.
9. Willful neglect of tools, machines, products, or equipment.
10. Non-observance of safety rules or practices.
11. Creating or contributing to unsafe conditions.
12. Excessive use of the telephone or excessive break time.
13. Use of offensive, obscene, or profane language or gestures.

14. Failure to report to work without proper notification to the director.
15. Inability to work with others.
16. Excessive absences, tardiness, or unavailability for work.
17. Failure to show improvement in work performance after conferences and/or warnings.
18. Unsatisfactory performance and/or inability to perform assigned tasks.
19. Any other cause as determined by the supervisor which does not violate an employee's legally protected rights.

## **Evaluation**

Evaluations are used to identify work habits which need to change to improve employee performance. All employees will be evaluated annually.

## **Training**

Periodic training is provided for employees to improve job performance. Training can be done in various ways:

1. On the Job

New employees are given on the job instructions by the director or other employees as assigned by the director.

2. Staff-Development

Periodic programs and training sessions will be planned and all employees are required to attend.

3. Workshops

CISD will reimburse regular employees for some workshops related to the job assignment which has been approved by the supervisor. The amount of reimbursement will be determined prior to registration for the workshop.

## **Confidentiality**

Confidentiality of student and employee records and/or information is essential. An employee who violates the confidentiality of other employees or students may be subject to disciplinary action.

1. All employee records are treated as confidential to the extent permitted by law. An employee has a right to see his/her personnel file upon request.
2. All information regarding the educational or disciplinary status of a student must be kept confidential. Violation of this regulation will result in disciplinary action, and possible termination of employment.

## **Safety**

Alertness, insured by proper rest and by following good health habits, will be an aid in accident prevention.

The following precautions should be taken:

### **1. FALLS**

- a. Walk, never run. Rushing is hazardous.
- b. Wear proper shoes, with closed toe and heel, and keep strings tied, and straps in proper place.
- c. Keep water, grease and food spills cleaned up from the floor.
- d. Keep mops, brooms, boxes and other articles from passageways so that workers will not stumble over them.
- e. Do not stand on boxes, chairs, tables or other items not designed to support people.

### **2. FIRE SAFETY**

- a. In the event of fire, student and employee safety is the primary concern.
- b. Be familiar with the evacuation routines for your building.
- c. If you discover fire, sound the alarm and call 911.
- d. Close all doors, and openings (including vents) in an effort to contain the fire.
- e. Know where the fire extinguishers are located and be familiar with their proper use.
- f. Report any fire to the Maintenance and Transportation Director as soon as safety permits.

### **3. GENERAL**

- a. Abide by department lifting policy.
- b. Do not use any equipment without proper training.
- c. Use proper hearing and eye protective devices for the job you are doing.
- d. If a pilot light is out or if there is an odor of gas, call the maintenance department.
- e. Portable equipment, pots, mops, etc. should not block passage areas around equipment and work areas.
- f. Never mix cleaning agents. Follow the instructions on the container labels.

## **Use of telephone**

Employees may not accept incoming personal calls or phone out except in cases of emergency. No call shall be made without the manager's consent. The telephone should be used for school business only.

Use of personal cell phones and pagers is prohibited except during break or lunch times.

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