

# **Barbers Hill Independent School District**



## **Employee Handbook**

# **2016-2017**

*.....A Tradition of Excellence*

# Table of Contents

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<b>Introduction.....</b>	<b>4</b>
<b>District Information.....</b>	<b>5</b>
Philosophy .....	5
Vision & Mission Statement, Goals, and Objectives .....	5
District Goals, and Objectives .....	6
Board of Trustees.....	7
Board Meeting Schedule for 2016–2017 .....	7
Helpful Contacts .....	8
<b>Employment .....</b>	<b>9</b>
Equal Employment Opportunity.....	9
Job Vacancy Announcements.....	9
Employment After Retirement .....	9
Contract & Noncontract Employment.....	9
Certification and Licenses .....	10
Searches and Alcohol and Drug Testing .....	11
Health Safety Training.....	11
Reassignments and Transfers .....	12
Workload and Work Schedules .....	12
Breaks for Expression of Breast Milk .....	13
Outside Employment and Tutoring .....	13
Notification to Parents Regarding Qualifications.....	13
Performance Evaluation .....	14
Employee Involvement.....	14
Staff Development.....	14
<b>Compensation and Benefits .....</b>	<b>15</b>
Salaries, Wages, and Stipends .....	15
Annualized Compensation.....	15
Paychecks and Automatic Payroll Deposit.....	15
Payroll Deductions .....	16
Overtime Compensation .....	16
Disaster Pay Provisions .....	17
Travel Expense Reimbursement.....	17
Health, Dental, and Life Insurance .....	17
Affordable Care Act .....	18
District Medical Expense Reimbursement Plan (MERP).....	18
Supplemental Insurance Benefits .....	18
Cafeteria Plan Benefits (Section 125) .....	18
Workers’ Compensation Insurance .....	19
Unemployment Compensation Insurance.....	19
Teacher Retirement.....	19
Other Benefit Programs .....	20

<b>Leaves and Absences .....</b>	<b>21</b>
General Information & Use of Leave .....	21
Attendance Incentive for Teachers and Campus Staff .....	22
Personal, State, & Local Leave .....	22
Reimbursement for Unused Sick Leave .....	24
Non-Duty Leave .....	25
Donated Sick Leave Plan.....	25
Family and Medical Leave Act (FMLA)—General Provisions .....	26
Local Family and Medical Leave Provisions .....	28
Temporary Disability Leave .....	28
Workers’ Compensation Benefits.....	29
Assault Leave .....	29
Leave to Attend State Competition .....	29
Jury Duty & Other Court Appearances .....	30
Military Leave .....	30
<b>Employee Relations and Communications .....</b>	<b>31</b>
<b>Complaints and Grievances .....</b>	<b>32</b>
<b>Employee Conduct and Welfare .....</b>	<b>34</b>
Standards of Conduct and Educator Code of Ethics.....	34
Discrimination, Harassment, and Retaliation .....	37
Harassment of Students .....	40
Employee Dress Code .....	47
Reporting Suspected Child Abuse.....	48
Sexual Abuse and Maltreatment of Children .....	48
Reporting Crime .....	49
Technology Resources.....	49
Personal Use of Electronic Media .....	49
Use of Electronic Media with Students .....	50
Criminal History Background Checks.....	52
Employee Arrests and Convictions .....	52
Alcohol and Drug-Abuse Prevention .....	53
Tobacco Products and E-Cigarette Use .....	55
Fraud and Financial Impropriety .....	55
Conflict of Interest.....	56
Gifts and Favors.....	56
Copyrighted Materials .....	56
Associations and Political Activities .....	57
Charitable Contributions.....	57
Safety .....	57
Possession of Firearms and Weapons.....	57
Visitors in the Workplace .....	58
Asbestos Management Plan.....	58
Pest Control Treatment.....	58
Indoor Air Quality .....	58
Use of Personal Cell Phones.....	59
Use of District Vehicles.....	59

<b>General Procedures .....</b>	<b>60</b>
Bad Weather Closing.....	60
Emergencies.....	60
Purchasing Procedures.....	60
Name and Address Changes .....	60
Personnel Records .....	61
Building Use .....	61
<b>Termination of Employment .....</b>	<b>62</b>
Resignations.....	62
Dismissal or Nonrenewal of Contract Employees.....	62
Dismissal of Noncontract Employees.....	62
Exit Interviews and Procedures .....	63
Reports to Texas Education Agency .....	63
Reports Concerning Court-Ordered Withholding .....	63
<b>Student Issues .....</b>	<b>64</b>
Equal Educational Opportunities.....	64
Student Records.....	64
Parent and Student Complaints.....	64
Administering Medication to Students .....	65
Dietary Supplements.....	65
Psychotropic Drugs.....	65
Student Conduct and Discipline .....	65
Student Attendance.....	66
Bullying .....	66
Hazing.....	67
<b>Appendix A.....</b>	<b>68</b>
Employee Complaint Forms: Level 1, 2 & 3 Grievances.....	69
<b>Appendix B.....</b>	<b>73</b>
Permission for Release of Information .....	74
Worker's Compensation Information/Guidelines .....	76
Notice to Employees: Requirements of the Affordable Care Act .....	79
<b>Appendix C.....</b>	<b>80</b>
Finance Manual Link.....	81
Electronic Communication Guidelines and Acceptable Use.....	82
Energy Management Procedures/Guidelines.....	84
<b>Index .....</b>	<b>85</b>

# Introduction

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

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

# District Information

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## *Philosophy*

### *Policy AE*

The Barbers Hill Independent School District provides instruction at the highest level of quality so that all students can learn to the best of their abilities and develop a positive self-concept, regardless of socioeconomic or cultural background.

ALL STUDENTS will be provided opportunities to acquire knowledge of citizenship and responsibility as well as an appreciation of our global relationships and common American heritage, including its multicultural richness.

ALL STUDENTS will be provided opportunities to develop the ability to think logically, independently, creatively, and to communicate effectively.

ALL STUDENTS will also be encouraged to cultivate an intrinsic motivation for independent discovery beyond the school setting.

Believing this, WE THE BOARD OF TRUSTEES, ADMINISTRATION, FACULTY, and STAFF of the BARBERS HILL INDEPENDENT SCHOOL DISTRICT will assume responsibility for:

- Maintaining accountability,
- Providing continuous improvement,
- Establishing lines of communication between the Board of Trustees, administration, faculty and staff of the District and parents, citizens, business leaders, industry leaders, civic organizations and officials of local governing bodies, concerning educational programs and processes,
- And where mutually feasible and agreeable, establish cooperative efforts with these same segments of the community, to enhance the educational programs and processes within the BARBERS HILL INDEPENDENT SCHOOL DISTRICT.

Such a program promoted by a highly motivated Board of Trustees, administration, faculty and staff will create an environment for learning within which the students enrolled within Barbers Hill School District can prepare for the changes and the challenges of the future.

## Vision Statement

The vision of the Barbers Hill Independent School District is academic excellence characterized by goal-driven, college/career ready graduates who are responsible, accountable, contributing members of society.

## Mission Statement

The mission of the Barbers Hill Independent School District is to:

- Provide the highest level quality of instruction and learning opportunities that produce motivated and successful learners;
- Promote excellence, teamwork and a commitment to continuous improvement;
- Reinforce the tradition of excellence to enhance unity, strengthen relationships, and foster cooperation among stakeholders.

## District Goals

- I. Curriculum, instructional and assessment will facilitate learning for all students to maintain the highest rating in the state accountability system.
- II. All Barbers Hill ISD students will meet graduation requirements college/career ready.
- III. A positive school-community relationship will support student success.
- IV. The district will maintain a safe, disciplined, and healthy environment conducive to student learning and employee effectiveness.
- V. A qualified, diverse staff will support district success.
- VI. Funding for programs will allow each campus/department to achieve performance objectives.
- VII. A long range facility plan will be implemented and maintained.
- VIII. Technology will be implemented to strengthen the effectiveness of student learning through the purchase of current technology, instructional management and professional development.

## District Objectives

- a. 90% or more of all students and each student group will meet expectations on all state assessments. (Level II)
- b. 50% or more of all students will achieve the advanced academic level in all state assessments. (Level III)
- c. The percentage of students who meet or exceed anticipated academic progress will increase.
- d. The overall success rate of economically disadvantaged students will increase in all subject areas.
- e. 100% of students with learning disabilities will show continuous gains toward mastering IEP objectives.
- f. All high school students will graduate career or college ready.
- g. All students will meet high school graduation requirements.
- h. The number of students taking advanced academic courses will increase.
- i. The district attendance rate will be at least 98% and all students will meet state attendance requirements.
- j. All parents will participate in one or more school activities, organizations, trainings, meetings and/or parent conferences.
- k. The student-teacher ratio will be lower than the state average.
- l. 100% of classroom teachers and instructional aides will be highly qualified.
- m. Employee retention rate will be greater than 95%.
- n. Professional development will support and facilitate student success as measured by internal assessment, state assessment, and federal accountability system.
- o. Audits, drills, student surveys, and staff training will occur regularly to ensure student/employee safety.
- p. Maintain or increase student performance in key performance areas while maintaining district expenditures per student.
- q. Using available data, facility additions and expansions will meet the needs of a growing student population.
- r. Promote and support a 21<sup>st</sup> century learning environment that inspires learning and creativity.

## Board of Trustees

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

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

The board of trustees is elected by the citizens of the district to represent the community's commitment to a strong educational program for the district's children. Trustees are elected in May and serve three-year terms. Trustees serve without compensation, must be registered voters, and must reside in the district.

Current board members include:

Benny May, President  
Becky Tice, Vice-President  
Cynthia Erwin, Secretary

George Barrera, Member  
Jef Farrell, Member  
Ron Mayfield, Member  
Fred Skinner, Member

The board usually meets on the 4<sup>th</sup> Monday of each month at 6:30 p.m. In the event that large attendance is anticipated, the board may meet at Middle School South Auditorium. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district Web site and at the Administration Building at least 72 hours before the scheduled meeting time. The written notice will show the date, time, place, and subjects of each meeting. In emergencies, a meeting may be held with a two-hour notice.

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

## Board Meeting Schedule for 2016–2017

### 2016

August 22  
September 26  
October 24  
November 14  
December 12

### 2017

January 23  
February 27  
March 27  
April 24  
May 22  
June 5 – Budget Workshop  
June 12 – Budget Workshop (if necessary)  
June 26

## Helpful Contacts

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

<u><i>Title/Department</i></u>	<u><i>Name</i></u>	<u><i>Extension</i></u>
Superintendent	Dr. Greg Poole	1202
Assistant Superintendent of Personnel	Barbara Ponder	1254
Assistant Superintendent of Curriculum/Instruction	Sandra Duree	1345
Assistant Superintendent of Planning & Operations	Stan Frazier	1252
Assistant Superintendent of Finance	Becky McManus	1200
Director of Athletics	Tom Westerberg	1221
Director of Special Services	Sue Garcia	1239
Director of Technology	Kristen Davis	1348
Director of Operations	Becky Johnson	1275
Director of School Nutrition	Susan LeBlanc	1258
Director of Communications	Carla Rabalais	1220
Director of Curriculum & Advanced Academics	Julie Heffner	1260
Kindergarten Center Principal	Lisa Watkins	1261
Primary School Associate Principal	Mandy Malone	1222
Elementary School North Principal	Sarah Otto	2801
Elementary School South Principal	Elizabeth Filer	1501
Middle School North Principal	Lance Murphy	1401
Middle School South Principal	Dennis Wagner	1229
High School Principal	Rick Kana	1209
Alternative School Principal	Daniel Andrews	1435
Coordinator of State and Federal Programs	Linda Gerhart	1355
Coordinator of Assessment & Accountability	Natasha Holden	1350
Coordinator of Health Services	Colleen Goundry	1444
Police Chief	Kenny Widner	1347
District Webmaster	Valerie Hull	1289
Payroll Office	Ashley Lopez	1207
Substitute Coordinator	Stephanie McAnally	1302
Foundation & Benefits Coordinator	Sandra Westerberg	1284

# Employment

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## Equal Employment Opportunity

*Policies DAA, DIA*

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

Employees with questions or concerns relating to discrimination for any of the reasons listed above should contact Barbara Ponder.

## Job Vacancy Announcements

*Policy DC*

Announcements of job vacancies by position and location are posted on the district's Website at [www.bhisd.net](http://www.bhisd.net).

## Employment After Retirement

*Policy DC*

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

## Contract and Noncontract Employment

*Policy DC series*

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

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

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

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

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

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

## Certification and Licenses

### *Policy DBA*

Professional employees whose positions require SBEC certification or profession license are responsible for taking actions to ensure their credentials do not lapse. Employees must submit documentation that they have passed the required certification exam and/or obtained or renewed their credentials to the Personnel Department in a timely manner.

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

## Searches and Alcohol and Drug Testing

*Policy CQ, DHE*

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

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

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

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

Employees with questions or concerns relating to alcohol and drug policies and related educational material should contact Colleen Goundrey, Coordinator of Health Services.

## Health Safety Training

*Policies DBA, DMA*

Certain employees who are involved in physical activities for students must maintain and submit to the district proof of current certification or training in first aid, cardiopulmonary resuscitation (CPR), the use of an automated external defibrillator (AED), concussion, and extracurricular athletic activity safety. Certification or documentation of training must be issued by the American Red Cross, the American Heart Association, University Interscholastic League, or another organization that provides equivalent training and certification. Employees subject to this requirement must submit their certification or documentation to Colleen Goundrey, Coordinator of Health Services, by August 19, 2016.

## Reassignments and Transfers

### *Policy DK*

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

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request through the online application process listed on the website. 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, DEAB, DK, DL*

**Professional Employees.** Professional employees and academic administrators are exempt from overtime pay and are employed on a ten, ten and ½, eleven, or twelve-month basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including start and end dates and scheduled holidays will be distributed each school year. On school days where students are dismissed early, all staff is expected to stay the full day unless released by the Superintendent.

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

The Superintendent or designee may assign noncontractual supplemental duties to personnel exempt under the Fair Labor Standards Act, as needed. The employee shall be compensated for these assignments according to the supplemental duty pay schedule. These assignments may be discontinued at any time, for any reason or no reason, by either party. The assignment of these duties shall not create any expectation of continued assignment to that same duty or any other duty. If a supplement is paid to an employee filling a particular position, the supplement shall be discontinued if the employee is reassigned from that position. The supplement shall be prorated based on the time the employee filled the position for which the supplement was paid.

A professional employee who serves as a club or organization sponsor shall be governed by the **Student Activity Funds Manual** and **Fund Raising Procedures** in accordance with school policies.

**Paraprofessional and Auxiliary Employees.** Support employees are employed “at-will” and receive notification of the required duty days, holidays, and hours of work for their position on an annual basis. Paraprofessional and auxiliary employees must be compensated for overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor. Non-exempt employees are assigned to an eight-hour day which includes their 30-minute lunch. Non-exempt employees are not to work more than 40-hours per week without appropriate approval from their supervisor. Non-exempt employees are not to leave the campus site unless approved by a supervisor. Non-exempt employees must clock out of “Tru-Time” to conduct personal business.

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

*Policies DEA, DEAB, DG*

The district supports the practice of expressing breast milk and makes reasonable accommodations for the needs of employees who express breast milk. A place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk will be provided. A reasonable amount of break time will be provided when the employee has a need to express milk. For nonexempt employees, these breaks are unpaid and are not counted as hours worked. Employees should meet with their supervisor to discuss their needs and arrange break times.

## **Outside Employment and Tutoring**

*Policy DBD*

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

## **Notification to Parents Regarding Qualifications**

*Policies DK, DBA*

In schools receiving Title I funds, the district is required by the Every Student Succeeds Act (ESSA) to notify parents at the beginning of each school year that they may request information regarding the professional qualifications of their child’s teacher. ESSA also requires that parents be notified if their child has been assigned or taught for four or more consecutive weeks by a teacher does not meet applicable state certification or licensure requirements.

Texas law requires that parents be notified if their child is assigned for more than 30 consecutive instructional days to a teacher who does not hold an appropriate teaching certificate. Inappropriately certified and uncertified teachers include individuals on an emergency permit (including individuals waiting to take a certification exam) and individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request. Employees who have questions about their certification status can call Karen Gifford, ext. 1254.

## **Performance Evaluation**

*Policy DN series*

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

## **Employee Involvement**

*Policies BQA, BQB*

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

## **Staff Development**

*Policy DMA*

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

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

**Exchange Days** – Professional Employees are required to earn exchange time annually by attending staff development for professional growth. These days are “exchanged” for contract days during the course of the school year on designated days. The procedures for earning exchange time are updated annually and are communicated to staff through the campus principal. Additional information and exchange day forms can be found on the district website.

# Compensation and Benefits

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## Salaries, Wages, and Stipends

*Policies DEA, DEAA, DEAB*

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees (teachers, librarians, counselors, nurses, diagnosticians, speech pathologists, etc.) and campus and district administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as non-exempt and are paid an hourly wage or salary and receive compensatory time or overtime pay for each hour worked beyond 40 in a workweek. (See *Overtime Compensation*, page 17.)

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 Ashley Lopez in the Payroll Office (ext. 1207) 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 monthly or bimonthly payments, beginning with the first pay period of the school year on September 15, 2015. Employees that separate after the last day of instruction will continue to receive paychecks through the end of the summer. Salary adjustments and raises, if any, will be determined during the annual budget process. An employee hired after January 1st of the previous fiscal year may receive no more than one-half of the raise granted by the Board of Trustees as based on his or her job grade for the ensuing fiscal year.

## Paychecks & Automatic Payroll Deposits

All employees are paid twice monthly. Payroll for all employees will be processed electronically. Pay day is on the fifteenth and the last day of every month. If either day falls on a weekend, payroll will be issued on the preceding Friday. Pay statements may be accessed electronically using Employee Access (Formerly ERMA). An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. All payroll questions should be directed to the Payroll Office at extension 1207.

## Payroll Deductions

### *Policy CFEA*

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

- Teacher Retirement System of Texas (TRS) or Social Security employee contributions
- Federal income tax required for all full-time employees
- Medicare tax (applicable only to employees hired after March 31, 1986)

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; Eagle Pointe Recreation Center; flexible fringe benefit programs; tax deferred savings plans, higher education savings plans, and savings deposits and loan payments through the Community Resource Credit Union. Payroll deductions may also be made for employees whose children are in the tuition-supported Pre-Kindergarten program and the before-school childcare program. Employees may also request payroll deduction for payment of membership dues to professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave, outstanding balances in the cafeteria, lost keys or technology. Benefit questions should be directed to Sandra Westerberg at ext. 1284.

## Overtime Compensation

### *Policy DEAB*

The district compensates overtime for **nonexempt** employees in accordance with federal wage and hour laws. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. **Nonexempt employees are not authorized to work beyond their normal work schedule without advance approval from their supervisor.**

Overtime is legally defined as all hours worked in excess of 40 hours in a workweek and is not measured by the day or by the employee's regular work schedule. 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 12:00 a.m. Sunday and ends at 11:59 p.m. Saturday.

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

- Employees who earn 16 hours for exchange purposes, may keep that balance and it will be deducted appropriately on the dates designated as exchange days.
- Employees must use additional compensatory time before using any other leave when absent.
- Employees and supervisors shall ensure that compensatory time off earned during one employment year is used prior to the next employment year. If an employee has any unused compensatory time remaining at the end of a fiscal year, the employee shall receive overtime pay.
- Weekly time sheets will be maintained on all nonexempt employees for the purpose of wage and salary administration.
- Supervisors of nonexempt employees shall ensure an agreement of understanding with the employees regarding the form of compensation for overtime (cash or compensatory time off) prior to the performance of the work occasioning the overtime duty. These agreements need not be in writing, but the supervisor shall maintain some record of them, such as a calendar notation, a memo to the file, or some similar indication that the employee was notified of the type of compensation to expect.

- An employee may use compensatory time in accordance with the District's leave policies and if such use does not unduly disrupt the operations of the District. [See DEC (Local)] The District may require an employee to use compensatory time when in the best interest of the District.
- Compensatory time earned by nonexempt employees may not accrue beyond a maximum of 60 hours. If an employee has a balance of more than 60 hours of overtime, the employee will be required to use compensatory time or, at the District's option, will receive overtime pay.
- Salaried employees (teachers, counselors, librarians, etc.) are not eligible for overtime compensation. Campus principals will schedule faculty meetings and assign duties before or after school for these employees, and additional compensation will not be paid.

## Disaster Pay Provisions

### *Policy DEE*

All district employees shall receive their regular paychecks, whether they work or not, while the district is closed during a state of emergency as designated by the Board of Trustees or the Superintendent. Any employee working during a designated BHISD state of emergency must be authorized to do so by the Assistant Superintendent of Planning & Operations, Stan Frazier, or by the Superintendent of Schools, Dr. Greg Poole. Each non-exempt hourly employee who works during the state of emergency shall receive emergency pay in addition to his/her regular paycheck. The emergency pay rate for each authorized hourly employee will be 1.5 times the regular per hour rate for each hour worked. Emergency pay shall be accumulated and disbursed to the employee in a separate pay check.

## Travel Expense Reimbursement

### *Policy DEE*

Before any travel expenses are incurred by an employee, the employee's supervisor, the Superintendent and the Assistant Superintendent of Finance must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the district. Employees must submit receipts, to the extent possible, to be reimbursed for expenses other than mileage. Expenses for meals associated with authorized travel shall be paid to employees on a per diem basis, at a rate established annually by the Board. Receipts for meals shall not be required, but confirmation of attendance at the function shall be required. Forms are available in the principal's office or the business office that list the schedule for reimbursement. For detailed procedures related to travel expense reimbursements, see the Travel Request Manual found in Appendix C.

## Health, Dental, and Life Insurance

### *Policy CRD*

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

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

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) are not eligible to participate in TRS-ActiveCare. The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each year. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact Sandra Westerberg, ext. 1284, for more information.

**As of January 1, 2014, the Affordable Care Act (ACA) requires you to have health insurance for yourself and your dependents.** Some people are exempt from this requirement. To learn how to apply for an exemption see *Questions and Answers on the Individual Shared Responsibility Provision*, [www.irs.gov/uac/Questions-and-Answers-on-the-Individual-Shared-Responsibility-Provision](http://www.irs.gov/uac/Questions-and-Answers-on-the-Individual-Shared-Responsibility-Provision). If you do not have health insurance and you are not exempt, you may be subject to a penalty (see [www.healthcare.gov/what-if-someone-doesnt-have-health-coverage-in-2014](http://www.healthcare.gov/what-if-someone-doesnt-have-health-coverage-in-2014)).

## District Medical Expense Reimbursement Plan (MERP)

The District offers the choice of either a \$1,200 medical expense reimbursement benefit or taxable cash benefit to any employee who has primary medical insurance coverage with another carrier and, as a result, chooses not to participate in the Barbers Hill group insurance program. Employees who choose the taxable cash benefit option will receive a lump sum taxable payment of \$1,200 in the first paycheck following the last day of the plan year or semi-monthly during the year. All employees eligible for health insurance coverage may choose to participate in either the District's group health insurance program or in the reimbursement plan or cash benefit option.

## Supplemental Insurance Benefits

### *Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for dental, vision, life, accidental death and dismemberment, disability, and cancer. Premiums for these programs are paid by payroll deduction.

## 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. Employees should contact Sandra Westerberg, extension 1284, for more information.

## Workers' Compensation Insurance

### *Policy CRE*

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Texas Association of School Boards, effective September 1.

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 employee's supervisor. Employees who are unable to work because of a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. See *Workers' Compensation Benefits*, page 30 for information on use of paid leave for such absences. [See also Appendix B].

## 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 the Personnel Office.

## Teacher Retirement

### *Policy DEG*

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

Employees who plan to retire under TRS should notify the supervisor as soon as possible. Information on the application procedures for TRS benefits is available from TRS at Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-542-6400. TRS information is also available on the Web ([www.trs.texas.gov](http://www.trs.texas.gov)). See page 10 for information on restrictions of employment of retirees in Texas public schools.

## Other Benefit Programs

- Tuition-free attendance for children of nonresident employees
- Employee Wellness Program – Subsidized membership to Eagle Pointe Recreation Center
- Affordable early morning childcare program
- Badges to be used as free athletic passes to events hosted by Barbers Hill ISD
- A list of the annuity carriers is available in the payroll office

# Leaves and Absences

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## *Policies DEC, DECA, DECB*

The district offers employees paid and unpaid leaves of absence in times of personal need. This handbook describes the basic types of leave available and restrictions on leaves of absence. Employees who have personal needs that will require long leaves of absence should call the personnel office, extension 1254, for counseling about leave options, continuation of benefits and communicating with the district.

Employees on an approved unpaid leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the District as they were prior to the leave. Otherwise, the District does not pay any portion of insurance premiums for employees who are on unpaid leave. Under TRS-Active Care rules, an employee is no longer eligible for insurance through the district after six months of unpaid leave other than FML. If an employee's unpaid leave extends for more than six months, the district will provide the employee with notice of COBRA rights.

Employees must follow District and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form. Paid leave must be taken in 4 or 8 hour increments. An employee who is absent four or more consecutive days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and — in the case of personal illness—the employee's fitness to return to work.

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

Personal and local sick leave is earned on a monthly basis. Leave is available for the employee's use at the beginning of the school year, but if an employee leaves the District before the end of the work year, the cost of any unearned sick or personal leave days shall be deducted from the employee's final pay check.

### **Use of Leave**

Earned compensatory time shall be used before any available paid state and local leave. [See DEA (Local)]. Unless an employee requests a different order, available paid state and local leave shall be used in the following order as applicable:

1. Local leave
2. Local leave accumulated prior to the last day of the 1995-96 school year, if any
3. State sick leave accumulated prior to the 1995-96 school year, if any
4. Current year state personal leave
5. State personal leave
6. Extended sick leave, when applicable

Local sick leave shall be used under the terms and conditions applicable to state sick leave accumulated prior to the 1995-96 school year, except as otherwise provided by this policy. Local sick leave may also be used for first-year care following the birth or adoption of an employee's son or daughter or the placement of a child with the employee for foster care. Employees shall be charged leave as used even if a substitute is not employed.

## Attendance Incentive for Teachers & Campus Staff

Any full-time teacher or campus paraprofessional utilizing no more than two (2) days of local or state sick leave or personal leave for any reason during each semester will receive a stipend based on the number of absences. The stipend rate shall be established by the Board upon recommendation from the Superintendent. The stipend rate for 2015-2016 is as follows:

<u>Teacher Rate Per Semester</u>		<u>Paraprofessional Rate Per Semester</u>	
0 Absence	\$400.00	0 Absence	\$250.00
1 Absence	\$300.00	1 Absence	\$175.00
2 Absences	\$200.00	2 Absences	\$100.00

To be eligible for the attendance incentive, the employee must be employed for at least 51% of the semester. Attendance incentive for the first semester will be paid on January 31 and attendance incentive for second semester will be paid on June 30.

## Personal Leave

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

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

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

- A maximum of 5% campus employees in each job category will be permitted to take discretionary personal leave at the same time.
- Discretionary leave may not last more than three consecutive work days.
- Discretionary leave may not be taken for more than a total of six days during the school year.
- Discretionary leave may not be taken on the following key days: 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 state or local tests or professional or staff development days.

In extenuating circumstances, exceptions to the limitations listed above may be granted by the campus principal, director or Superintendent.

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

## State Sick Leave

State sick leave accumulated before 1995 is available for use and may be transferred to other school districts in Texas. State sick leave can be used only in one-half or full-day increments except when coordinated with family and medical leave taken on an intermittent or reduced-schedule basis or when coordinated with workers’ compensation benefits. If an employee uses more sick leave than he or she has earned, the cost of unearned sick leave will be deducted from the employee’s next pay check.

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

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

For the purposes of state and local sick leave, the term “immediate family” shall include:

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

## Local Leave

All employees shall earn an additional three, four or five equivalent workdays of local sick leave per school year according to the following schedule:

Positions requiring 200 days or less of service.....3 local workdays  
Positions requiring 201-218 days of service.....4 local workdays  
Positions requiring more than 218 days of service.....5 local workdays

Employees hired to fill two or more different positions in the District (such as teacher and bus driver) shall earn sick leave in accordance with the schedule above for the hours worked in each position as long

as the work hours required for each position do not overlap. A separate sick leave balance shall be maintained for each position held and when an employee is absent an entire workday, a sick leave day from each balance, shall be used.

For purposes of computing sick leave, if an employee who works fewer than six hours a day accepts a position wherein he or she begins working at least six hours a day or more, only a percentage of any local sick leave days earned in the previous position shall be available for use in the new position. For instance, if a four-hour cafeteria worker who has earned ten local sick leave days becomes an eight-hour worker, then only five local sick leave days (or 4/8ths) may be carried forward to be used in the new position. If an employee's hours are reduced or if an employee is demoted, no adjustment shall be made to the number or value of the employee's accumulated local sick leave days.

**Local sick leave may not be used to take a personal day.** Local sick leave shall accumulate without limit and shall be taken with no loss of pay.

### **Reimbursement for Unused Local Sick Leave (Accumulated as of Last Day of 1995-1996 School Year)**

**Separation due to Retirement.** Eligible employees who have filed the necessary paperwork for retirement under the Texas Teacher Retirement System (TRS) shall be reimbursed for unused local sick leave at their current daily rate of pay for the balance of unused local sick leave days accumulated as of the last day of the 1995-96 contract or employment year, less any days included in that balance that were used subsequent to that day, up to a maximum of 60 days.

**Separation due to Resignation.** Eligible employees who resign from the District shall be paid at his or her current daily rate of pay for the balance of unused local sick leave days accumulated as of the last day of the 1995-96 contract or employment year, less any days included in that balance that were used subsequent to that day, up to a maximum of 30 days. To be eligible for this reimbursement, the employee's resignation must be effective the last day of the current contract or employment year and must be submitted at least 45 days prior to the first day of instruction for the coming school year.

**Separation due to Death.** The beneficiary of an employee, as designated for TRS purposes (unless otherwise specifically named in writing by the employee to receive this benefit), shall be paid the employee's full salary for the month in which the death of the employee occurs and shall be paid at the daily rate of pay in the year of death for the balance of unused local sick leave days accumulated as of the last day of the 1995-96 contract or employment year, less any days included in that balance that were used subsequent to that day, up to a maximum of 60 days.

**Separation due to Termination or Non-renewal.** An employee who is terminated or non-renewed by the District shall not be eligible for reimbursement of local sick leave benefits.

### **Reimbursement for Unused State & Local Leave (Accumulated as of First Day of 1996-1997)**

Effective December 17, 2007, an eligible employee who has filed the necessary paperwork for retirement under the Texas Teacher Retirement System (TRS) shall be reimbursed for unused local sick leave and state personal leave, accumulated beginning with the 1996-97 employment year, up to a maximum of 20 days. The reimbursement rate will be either the applicable daily substitute rate at the time of retirement or 35 percent of the daily midpoint of the eligible employee's pay grade at the time of retirement, whichever

is greater. During the final employment year, if an eligible employee takes more than six discretionary days of leave (prorated if applicable), or takes any family or personal sick leave days for which required medical certification is not submitted, such days shall be deducted from the 20 days eligible for reimbursement under this policy.

## Non-Duty Day or Leave without Pay

A non-duty day is defined as a day the school district is open for business, but the employee is not at work as approved by the Superintendent or designee.

All 12-month (226-day) employees may earn non-duty days (leave) each employment year. Non-duty leave must be used within the current employment year and may not be accumulated or carried forward to subsequent years unless authorized by the Superintendent. The effective dates for the employment year are July 1 through June 30. The number of days designated as non-duty leave each year will vary according to the school calendar, designated holidays and leap year. Accumulated non-duty leave is not reimbursable upon retirement or resignation.

The rate of accrual for days earned shall be determined by dividing the number of designated non-duty days by 12 months. An employee who uses all of their non-duty leave and resigns or retires prior to June 30 will be docked the appropriate number of days to be in line with accrual guidelines. Non-duty days are available at the beginning of the fiscal year for use as approved by supervisors. Between July 1 and December 31 of any fiscal year, an employee may take only one-half of the designated non-duty days. Any exception to this policy will require supervisor approval. If an employee leaves the District before the end of the employment year and the employee has used more non-duty than he/she has earned, the cost of unearned non-duty leave will be deducted from the employee's final check. The Superintendent, Asst. Superintendent of Personnel or Department Supervisor shall establish guidelines for use of non-duty leave. Requests for non-duty leave should be submitted for approval to the appropriate supervisor.

## Donated Sick Leave Plan

**Purpose of the Program.** The purpose of the Barbers Hill ISD Donated Sick Leave Plan (DSLPL) is to provide additional local sick leave days on an as-needed basis to another full-time employee in the event of a prolonged catastrophic illness or accident. Any full-time employee who has accrued local sick leave may donate sick days on an as-needed basis for the relief of another full-time employee.

**Eligibility for Assistance.** To be eligible for a sick leave donation, the employee will have a serious health condition that makes the employee unable to perform functions of his or her position due to catastrophic illness or injury. A catastrophic illness or injury is defined as a severe condition or combination of conditions affecting the mental or physical health of the employee or the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned and to lose compensation from the state.

A committee comprised of employees from each campus and department comprise the Donated Sick Leave Committee. See DSLPL guidelines for specific criteria for eligibility and for procedures to request assistance. DSLPL guidelines may be obtained from the principal's office, director's office or the personnel office.

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

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

**Basic Leave Entitlement.** The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees each year 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 Entitlements.** An eligible employee whose spouse, son, daughter or parent is on covered active duty or called to covered active duty status may use his or her 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 (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for serious injury or illness\*, or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

\*The FMLA definitions of “serous injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition”.

**Benefits and Protections.** During FMLA leave, 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 FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

**Eligibility Requirements.** Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months\*, and if at least 50 employees are employed by the employer within 75 miles. \*Special hours of service eligibility requirements apply to airline flight crew employees.

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

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

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

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

**Employee Responsibilities.** Employees must provide 30 days advance notice of the need to take FML when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with 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 the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FML was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

**Employer Responsibilities.** Covered employers must inform employees requesting leave whether they are eligible under the FMLA. If they are eligible, 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 by Employers.** The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

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

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

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

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

[www.wagehour.dol.gov](http://www.wagehour.dol.gov)

## Local Family and Medical Leave Provisions

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

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

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

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

**District Contact.** Employees that require FMLA leave or have questions regarding FMLA, should contact Barbara Ponder, Assistant Superintendent of Personnel (ext. 1254) for details on eligibility, requirements, and limitations.

## Temporary Disability Leave

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

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

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

When an employee is ready to return to work, Barbara Ponder (ext. 1254) should be notified at least 30 days in advance. The return-to-work notice must be accompanied by a physician's statement confirming that the employee is able to resume regular duties. Certified employees returning from leave will be reinstated to the school to which they were previously assigned if an appropriate position is available. If an appropriate position is not available, the employee may be assigned to another campus, subject to the

approval of the campus principal. If a position is not available before the end of the school year, the employee will be reinstated to a position at the original campus at the beginning of the following school year.

## Workers' Compensation Benefits

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

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use available, partial-day increments of sick leave or any other paid leave benefits to make up the difference between wage benefits and pre-injury or -illness wages. 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. Additional information and guidelines can be found in **Appendix B**.

## Assault Leave

Assault leave provides extended job income and benefits protection to an employee who is injured as the result of a physical assault suffered during the performance of his or her job. An injury is treated as an assault if the person causing the injury could be prosecuted for assault or could not be prosecuted only because that person's age or mental capacity renders the person nonresponsible for purposes of criminal liability.

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

## Leave to Attend State Competition

Administrators attending a state UIL competition may count the absence as school business if they wear a BHISD badge and are willing to serve as an administrator on duty. A staff member who is a parent of a student who qualified for state competition may count the absence as school business. Other staff members who attend the state competition may use a personal business day (if they have the appropriate balance), if approved by the campus principal (contingent upon campus/testing activities), approved by the Assistant Superintendent of Personnel (contingent upon substitute availability), and approval of the Superintendent. The employee must show verification that he/she attended the competition in order for the absence not to count against the attendance incentive. The amount of time that will be approved for the absence will depend on the time of the competition and will be determined on a case-by-case basis. Approval must be secured prior to the absence.

## Jury Duty

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees must present documentation of the service and shall be allowed to retain any compensation they receive.

## Other Court Appearances

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use paid leave. Employees may be required to submit documentation of their need for leave for court appearances. Personal Leave must be taken for court appearances related to an employee's personal business.

## Military Leave

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

**Reemployment after Military Leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active duty as a member of the military force of any state (e.g., National or State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the district will be reemployed provided they can be qualified to perform the required duties. 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 within the period of time specified by law to the Personnel Department. In most cases, the length of federal military service cannot exceed five years.

**Continuation of Health Insurance.** Employees who perform service in the uniformed services may elect to continue their health plan coverage at their own cost for a period not to exceed 24 months. Employees should contact Sandra Westerberg (ext. 1284) for details on eligibility, requirements, and limitations.

# Employee Relations and Communications

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## Employee Recognition and Appreciation

Continuous efforts are made throughout the year to recognize employees who make an extra effort to contribute to the success of the district. Employees are recognized at board meetings, in the district newsletter, and through special events and activities.

## District Communications

Throughout the school year, Barbers Hill ISD publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. The BHISD website is updated daily and includes valuable information for students, parents, employees, and community members. These communication tools allow BHISD to keep stakeholders informed regarding District activities and achievements.

# Complaints and Grievances

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## *Policy DGBA*

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

The formal process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative procedures are exhausted, employees can bring concerns and complaints to the Board of Trustees. You may access policy DGBA (Local) in its entirety from the BHISD website at [www.bhisd.net](http://www.bhisd.net). Select the “School Board” tab at the top of the page. Then, select “Policies”. Enter “DGBA” in the search box to view the entire policy. You may also request a copy of DGBA (Local) from the BHISD Personnel Office at any time. Grievance forms can be found in this document under *Appendix A*.

### **Initiating A Grievance**

Unless otherwise specified in policy, an employee shall initiate a grievance as provided at LEVEL ONE, below.

**LEVEL ONE:** An employee who has a grievance shall request a conference with the principal or immediate supervisor by submitting the grievance in writing on a form provided by the District. The form must be filed within 15 calendar days of the time the employee first knew or should have known of the event or series of events about which the employee is complaining.

The principal or supervisor shall hold the conference within ten days after receipt of the written request. The principal or supervisor shall have ten days following the conference within which to respond.

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

The Superintendent or designee shall hold the conference within ten days after receipt of the written request. The Superintendent or designee shall have ten calendar days following the conference within which to respond.

**LEVEL THREE:** If the outcome of the conference at Level Two is not to the employee’s satisfaction or if the time for a response has expired, the employee may request to place the matter on the agenda of a future Board meeting [See BE (LOCAL)]. The request shall be in writing on a form provided by the District and must be filed within ten

days following receipt of a written response or, if no written response is received, within ten days of the response deadline. The Superintendent or designee shall inform the employee of the date, time, and place of the meeting.

The Superintendent or designee shall provide the Board with copies of the employee's original grievance, all responses, and any written documentation previously submitted by the employee and the administration. The Board is not required to consider documentation not previously submitted or issues not previously presented.

The Level Three proceeding before the Board shall be recorded by audio tape. The presiding officer may set reasonable time lines. The Board shall consider the grievance and may request a response from the administration, but the Board is not required to respond or take any action on the matter.

The lack of a response by the Board upholds the administrative decision at Level Two. Announcing a decision in the employee's presence constitutes communication of the decision. If the Board chooses to respond, the Board shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting.

**CLOSED  
MEETING:**

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

**EXCEPTION:**

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

**WHISTLEBLOWER  
COMPLAINTS:**

Employees who allege adverse employment action in retaliation for reporting a violation of law to an appropriate authority shall initiate a grievance under this policy within 15 days after the date the alleged violation occurred or the employee first knew of the alleged violation. The complaint shall first be filed in accordance with LEVEL TWO. Timelines for the employee and the District set out in this policy may be shortened to enable the Board to make a final decision within 60 days of the initiation of the complaint.

*See Appendix A for Complaint Forms*

# Employee Conduct and Welfare

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## Standards of Conduct

### *Policy DH*

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

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

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent knew of the incident. See *Reports to the Texas Education Agency*, page 64 for additional information.

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

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

#### **Purpose and Scope**

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. (19 TAC 247.1(b))

## **Enforceable Standards**

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

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

**Standard 1.2** The educator shall not 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 of students, or other persons or organizations in recognition or appreciation of service.

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

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

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

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

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

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

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

**Standard 1.13** The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

## Discrimination, Harassment, and Retaliation

### *Policies DH, DIA*

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

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

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 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.

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.

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

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.

Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.

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. Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.

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.

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.

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

Name: Barbara Ponder  
Position: Assistant Superintendent of Personnel  
Address: 9600 Eagle Drive, Mt. Belvieu, TX 77580  
Telephone: (281) 576-2221, extension 1255

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:

Name: Marilyn Ropp  
Position: Special Services Coordinator  
Address: 9600 Eagle Drive, Mt. Belvieu, TX 77580  
Telephone: (281) 576-2221, extension 1343

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

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. 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.

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. 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.

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. 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.

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.

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.

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]

## 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 of a student by an employee or adult will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting Suspected Child Abuse*, page 49 and *Bullying*, page 67 for additional information.

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

### Policy DF (Legal)

An attempt by any District employee to encourage or coerce a child to withhold information from the child's parent is grounds for discharge or suspension under Education Code 21.104 (probationary contracts), 21.156 (continuing contracts), and 21.211 (term contracts). *Education Code 26.008(b)*

The District shall discharge an employee if the District obtains information through a criminal history record information (CHRI) review that:

1. The employee has been convicted of:
  - a. A felony under Penal Code Title 5;
  - b. An offense requiring registration as a sex offender under Code of Criminal Procedure Chapter 62; or
  - c. An offense under the laws of another state or federal law that is equivalent to an offense under paragraphs a or b; and
2. At the time the offense occurred, the victim of the offense was under 18 years of age or was enrolled in a public school.

However, the District is not required to discharge an employee if the person committed an offense under Title 5, Penal Code, and:

1. The date of the offense is more than 30 years before June 15, 2007; and
2. The employee satisfied all terms of the court order entered on conviction.

Each school year, the Superintendent shall certify to the Commissioner that the District has complied with the above provisions. The State Board for Educator Certification (SBEC) may impose a sanction on an educator who does not discharge an employee if the educator knows or should have known, through a criminal history record information review, that the employee has been convicted of an offense described above.

The District may discharge an employee if the District obtains information of the employee's conviction of a felony or of a misdemeanor involving moral turpitude that the employee did not disclose to SBEC or the District. An employee so discharged is considered to have been discharged for misconduct for purposes of Labor Code 207.044 (unemployment compensation). *Education Code 22.085* [See DBAA]

A district that receives notice under Education Code 21.058(b) of the revocation of a certificate issued under Chapter 21, Subchapter B, shall:

1. Immediately remove the person whose certificate has been revoked from campus or from an administrative office, as applicable, to prevent the person from having any contact with a student [see DK]; and
2. As soon as practicable, terminate the employment of the person in accordance with the person's contract and with Education Code Chapter 21, Subchapter B.

These removal and termination requirements apply only to a conviction of a felony under Penal Code Title 5 or an offense for which the person must register as a sex offender, and only if the victim of the offense is under 18 years of age. *Education Code 21.058*

An employee's probationary, term, or continuing contract under Education Code Chapter 21 is void if the employee:

1. Does not hold a certificate or permit issued by SBEC; or
2. Fails to fulfill the requirements necessary to extend the employee's temporary or emergency certificate or permit.

After an employee receives notice that the employee's contract is void the District may:

1. Terminate the employee;
2. Suspend the employee with or without pay; or
3. Retain the employee for the remainder of the school year on an at-will employment basis in a position other than classroom teacher at the employee's existing rate of pay or at a reduced rate.

An employee whose contract is void is not entitled to the minimum salary prescribed by Education Code 21.402. The District's decision under Education Code 21.0031(b) is not subject to appeal under Education Code Chapter 21, and the notice and hearing requirements of that chapter do not apply to the decision.

These void contract provisions do not affect the rights and remedies of a party in an at-will employment relationship and do not apply to a certified teacher assigned to teach a subject for which the teacher is not certified.

*Education Code 21.0031; Nunez v. Simms, 341 F.3d 385 (5th Cir. 2003)*

In addition to the reporting requirement under Family Code 261.101 [see FFG], the Superintendent shall promptly notify SBEC in writing by filing a report within seven calendar days of the date the Superintendent first obtains or has knowledge of information indicating that:

1. An applicant for or holder of a certificate issued by SBEC has a reported criminal history;
2. The certificate holder engaged in conduct that violated the assessment instrument security procedures established under Education Code 39.0301; or
3. The certificate holder resigned and reasonable evidence supports a recommendation by the Superintendent to terminate the educator based on a determination that the educator engaged in misconduct described in 4(a)–(f), below [see DFE];
4. A certificate holder’s employment at the District was terminated based on a determination that the certificate holder:
  - a. Sexually or physically abused or otherwise committed an unlawful act with a student or minor;
  - b. Possessed, transferred, sold, or distributed a controlled substance, as defined by Health and Safety Code Chapter 481 or by 21 U.S.C. Section 801 et seq.;
  - c. Illegally transferred, appropriated, or expended funds or other property of the District;
  - d. Attempted by fraudulent or unauthorized means to obtain or alter a professional certificate or permit for the purpose of promotion or additional compensation;
  - e. Committed a criminal offense or any part of a criminal offense on school property or at a school-sponsored event; or
  - f. Solicited or engaged in sexual conduct or a romantic relationship with a student or minor.

“Abuse” has the meaning assigned by Family Code 261.001 and includes any sexual conduct involving an educator and a student or minor.

“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 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.

A superintendent who is required to file a report, but fails to timely do so, is subject to sanctions.

The Superintendent shall notify the Board of the District and the educator of the filing of the report.

A superintendent who in good faith and while acting in an official capacity files a report with SBEC is immune from civil or criminal liability that might otherwise be incurred or imposed.  
*Education Code 21.006; 19 TAC 249.14*

### Policy FFH (Local)

**Note:** This policy addresses discrimination, harassment, and retaliation involving District students. For provisions regarding discrimination, harassment, and retaliation involving District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. For provisions regarding bullying, see FFI.

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 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 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.

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

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.

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.

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications, or contact.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

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.

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.

Examples of retaliation include threats, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances, such as negative comments that are justified by a student's performance in the classroom.

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. 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:

For the purposes of this policy, District officials are the Title IX coordinator, the Section 504 coordinator, and the Superintendent.

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The District designates the following employee to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Barbara Ponder  
Position: Assistant Superintendent of Personnel  
Address: 9600 Eagle Drive, Mt. Belvieu, TX 77580  
Telephone: (281) 576-2221, ext. 1255

Reports of discrimination based on disability may be directed to the Section 504 coordinator. The District designates the following employee to coordinate its efforts to comply with Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Marilyn Ropp  
Position: Special Services Coordinator  
Address: 9600 Eagle Drive, Mt. Belvieu, TX 77580  
Telephone: (281) 576-2221, ext. 1343

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

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. 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.

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.

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.

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. 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. 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.

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. 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.

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

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.

## Employee Dress Code

The dress and grooming of District employees shall be clean, neat, and in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent. Additionally, all employees will be required to wear their district-issued identification badge at all times.

Dress shirts and other collared shirts for professional male employees will be expected in all academic settings. Standards for hair length of male employees will mirror the student standards. Leggings can only be worn with a top that is fingertip length or longer. Skirts and dresses must be fingertip length or longer.

The following items are not permitted: Spaghetti-straps, see-through clothing, shorts\*, low-cut tops, croc shoes, shower shoes, and body piercings (other than ears). Earrings are not permitted for male employees. **Body tattoos must be covered and not visible to students or other staff during the school day or at any school event.**

Jeans, denim pants, and flip-flops (rubber soled, thong-type sandals) are not allowed except on spirit days with Barbers Hill attire or school colors. Spirit days will be each Friday. A minimal number of additional spirit days may be designated by the campus principal or superintendent to include events such as charity fund raisers, testing dates, and college days.

*\*Shorts may be permitted for outdoor events such as field days or athletic/PE classes as approved by the campus principal or department supervisor.*

## 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 a facility) within 48 hours of the event that led to the suspicion. Abuse is defined by SBEC and includes the following acts or omissions:

- Mental or emotional injury to a student or minor that results in an observable and material impairment of the student's or minor's development, learning, or psychological functioning;
- Causing or permitting a student or minor to be in a situation in which the student or minor sustains a mental or emotional injury that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
- Physical injury that results in substantial harm to a student or minor, or the genuine threat of substantial harm from physical injury to the student or minor, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline; or
- Sexual conduct harmful to a student's or minor's mental, emotional, or physical welfare.

Reports to Child Protective Services can be made to <https://reportabuse.ws>, or to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person or administrator to make the report.

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

An employee's failure to 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 Texas Educators' Code of Ethics.

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

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

## Sexual Abuse and Maltreatment of Children

The district has established a plan for addressing sexual abuse and other maltreatment of children, which may be accessed in Local Policy. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused or otherwise maltreated. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional,

or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Maltreatment is defined as abuse or neglect. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS). Employees are required to follow the procedures described above in *Reporting Suspected Child Abuse*.

## Reporting Crime

### *Policy DG*

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

## Technology Resources

### *Policy CQ*

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

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

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

Employees are required to abide by the provisions of the district's acceptable use agreement and administrative procedures.

Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary and legal action. Employees with questions about computer use and data management can contact Kristen Davis, Director of Technology (ext. 1348).

## Personal Use of Electronic Media

### *Policy CQ, DH*

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), wikis, electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). 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. A complete list of technology acceptable use guidelines can be found in *Appendix C*.

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

See *Use of Electronic Media with Students*, below, for regulations on employee communication with students through electronic media.

## Use of Electronic Media with Students

### *Policy DH*

A certified or licensed employee, or any other employee designated in writing by the superintendent or a campus principal, may communicate through electronic media with students who are currently enrolled in the district. The employee must comply with the provisions outlined below. All other employees are prohibited from communicating with students who are enrolled in the district through electronic media.

An employee is not subject to these provisions to the extent the employee has a social or family relationship with a student. For example, an employee may have a relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or a member or participant in the same civic, social, recreational, or religious organization.

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

- *Electronic media* includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), wikis, electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, Twitter, LinkedIn, Instagram). *Electronic media* also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.
- *Communicate* means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee's personal social network page or a blog) is not a *communication*; however, the employee may be subject to district regulations on personal electronic communications. See *Personal Use of Electronic Media*, above. Unsolicited contact from a student through electronic means is not a *communication*.
- *Certified or licensed employee* means a person employed in a position requiring SBEC certification or a professional license, and whose job duties may require the employee to communicate electronically with students. The term includes classroom teachers, counselors, principals, librarians, paraprofessionals, nurses, educational diagnosticians, licensed therapists, and athletic trainers.

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

- The employee may use any form of electronic media **except** text messaging. Only a teacher, trainer, or other employee who has an extracurricular duty may use text messaging, and then only to communicate with students who participate in the extracurricular activity over which the employee has responsibility.
- The employee shall limit communications to matters within the scope of the employee's professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests; for an employee with an extracurricular duty, matters relating to the extracurricular activity).
- The employee is prohibited from knowingly communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for the purpose of communicating with students. The employee must enable administration and parents to access the employee's professional page.
- The employee shall not communicate directly with any student between the hours of 7:00 p.m. and 7:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
- The employee does not have a right to privacy with respect to communications with students and parents.
- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, including:
  - Compliance with the Public Information Act and the Family Educational Rights and Privacy Act (FERPA), including retention and confidentiality of student records. [See Policies CPC and FL]
  - Copyright law [See Policy CY]

- Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See Policy DF]
- Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.
- Upon written request from a parent or student, the employee shall discontinue communicating with the student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.

An employee may request an exception from one or more of the limitations above by submitting a written request to his or her immediate supervisor. An employee who violates any of these guidelines may be subject to disciplinary action, up to and including termination of employment.

## Criminal History Background Checks

### *Policy DBAA*

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

## Employee Arrests and Convictions

### *Policy DH*

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

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

Moral turpitude includes the following:

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

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

## Alcohol and Drug-Abuse Prevention

### *Policies DH, DI*

Barbers Hill ISD is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the workplace and at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs as defined by the Texas Controlled Substances Act during working hours may be dismissed. The district's policy regarding employee drug use follows:

#### Policy DI (Exhibit) – Drug-Free Schools Requirements

The District prohibits the unlawful distribution, possession, or use of illegal drugs, inhalants, and alcohol on school premises or as part of any of the District's activities. Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution. [See policies at DH and DHE] *41 U.S.C. 702(a)(1)(A); 28 TAC 169.2*

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

[This notice complies with notice requirements imposed by the federal Drug-Free Schools and Communities Act Amendments of 1989 (20 U.S.C. 3224a and 34 CFR 86.201)]

#### Policy DH (Local)

All District employees shall perform their duties in accordance with state and federal law, District policy, and ethical standards. [See DH(EXHIBIT)]

All District employees shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

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

All employees shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

Employees shall not engage in prohibited harassment, including sexual harassment, of:

1. Other employees. [See DIA]
2. Students. [See FFH; see FFG regarding child abuse and neglect]

While acting in the course of their employment, employees shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.

Employees shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See FFH]

Employees shall not use tobacco products on District premises, in District vehicles, or at school or school-related activities. [See also GKA]

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 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.

An employee who manufactures, possesses, or dispenses a substance listed above as part of the employee’s job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee’s personal use shall not be considered to have violated this policy.

Each employee shall be given a copy of the District’s notice regarding drug-free schools. [See DI(EXHIBIT)]

A copy of this policy, a purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.

An employee shall 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 the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

1. Crimes involving school property or funds;
2. 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;
3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or

#### 4. Crimes involving moral turpitude, which include:

- 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;
- Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
- Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
- Acts constituting abuse under the Texas Family Code.

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

**Reporting of Drug Offense.** All employees must notify the Superintendent if they are convicted of, or if they plead guilty to or no contest to and receive deferred adjudication for, any drug-related offense. Such report must be made not later than five calendar days after such conviction or plea is entered. Failure to report such conviction or plea will be grounds for termination.

## Tobacco Products and E-Cigarette Use

*Policies DH, FNCD GKA*

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

## 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 and in Appendix C of this handbook. Fraud and financial impropriety include the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district

- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district, except as otherwise permitted by law or district policy
- Inappropriate destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
- Failing to provide financial records required by federal, state or local entities
- Failure to disclose conflicts of interest as required by law or district policy
- Any other dishonest act regarding the finances of the district
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for state and federal awards

## Conflict of Interest

### *Policy DBD*

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

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

Employees should contact their supervisor for additional information.

## Gifts and Favors

### *Policy DBD*

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

## Copyrighted Materials

### *Policy CY*

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

## Associations and Political Activities

### *Policy DGA*

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association. Employees may join or refuse to join any professional association or organization. An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. Use of district resources including work time for political activities is prohibited.

## Charitable Contributions

### *Policy DG*

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

## Safety

### *Policy CK series*

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

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

Employees with questions or concerns relating to safety programs and issues can contact Stan Frazier, Assistant Superintendent of Planning and Operations (ext. 1253).

## Possession of Firearms and Weapons

### *Policies FNCG, GKA*

Employees, visitors, and students, including those with a license to carry a handgun, are prohibited from bringing firearms, knives, clubs or other prohibited weapons onto school premises (i.e., building or portion of a building) or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisor or call Kenny Widner, Police Chief (ext. 1281) immediately.

## Visitors in the Workplace

### *Policy GKC*

All visitors are expected to enter any district facility through the main entrance and sign in or report to the building's main office. Each campus visitor must present a driver's license in order to receive a badge and be admitted to the building. 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.

## 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 office of Stan Frazier, Assistant Superintendent of Planning and Operations, and is available for inspection during normal business hours.

## Pest Control Treatment

### *Policies CLB, DI*

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

Notices of planned pest control treatment will be posted in a district building 48 hours before the treatment begins. Notices are generally located at the main entrance of the building. In addition, individual employees may request in writing to be notified of pesticide applications. An employee who requests individualized notice will be notified by telephone, written or elec means. Pest control information sheets are available from campus principals or facility managers upon request.

## Indoor Air Quality (IAQ)

Good indoor air quality contributes to a favorable learning environment for students, productivity for teachers and staff and a sense of comfort, health, and well-being for all school occupants. These combine to assist a school in its core mission - educating children.

The school District IAQ Management Plan is a set of flexible and specific activities for preventing and resolving IAQ problems. The goals of the IAQ Management Plan are as follows:

- Fix any existing IAQ problem,
- Instill an IAQ awareness that leads to preventive action, and
- Resolve IAQ complaints and incidents as they occur.

State and District Management Plans are on file in the office of Stan Frazier, Assistant Superintendent of Planning and Operations.

## Use of Personal Cell Phones

During business hours, personal cell phones should be turned off. Classroom teachers and instructional aides should not be using (calling or texting) during instructional time. Failure to comply with this directive may result in disciplinary action, including termination of employment. Employees should make sure to keep emergency numbers updated. Any exceptions to this rule should be addressed to the campus principal or supervisor.

## Use of District Vehicles

Use of district vehicles is granted only on completion of the TXDPS driving record check. Requestors must submit information on the proper form to the Transportation Manager. All information received will be kept strictly confidential. A driving record check will be done twice a year. Traffic violations in your personal car or the school vehicle must be reported to the Transportation Manager within 3 business days of the violation. You will be notified if you are disqualified from driving a school vehicle due to point assessments on your record.

When driving a district vehicle, you are expected to follow the same guidelines as if you were in the school building. The Texas Code for Educator Ethics outlines appropriate behavior and it includes use of a district vehicle.

Any specific questions regarding the use of a district vehicle should be directed to the Transportation Manager, Becky Nelson, at ext. 1279.

# General Procedures

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## 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, to release students early, or to cancel school, district officials will post a notice on the district's Web site and notify the following radio and television stations:

Radio Stations:

KTRH - 740AM

KSHN - 99.9FM

Television Stations:

KPRC - Channel 2

KHOU - Channel 11

KTRK - Channel 13

KRIV - Channel 26

## 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 submitted to the Finance Department on an official district purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the District can be made without District requisition form and proper authorization. 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. Contact your immediate supervisor for additional information on purchasing procedures.

For detailed procedures in the purchasing process, see the Purchase Order Manual found in Appendix C.

## Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the Personnel Office (ext. 1254) office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained by accessing the Barbers Hill website at [www.bhisd.net](http://www.bhisd.net) and going to either the Human Resources webpage or the site map to download a "Personal Change Form". You may also contact Karen Gifford at ext. 1254 for additional assistance.

## 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, including personal cell phone number
- Emergency Contact Information
- Information that reveals whether they have family members
- Personal email address

The choice to not allow public access to this information may be made at any time by submitting a written request to Personnel Office. 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 DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. Stan Frazier, Assistant Superintendent of Planning and Operations, is responsible for scheduling the use of facilities after school hours. Contact Virgie Viverette (ext. 1252) to request to use school facilities and to obtain information on the fees charged.

# Termination of Employment

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## Resignations

### *Policy DFE*

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

The superintendent will notify SBEC when an employee resigns and reasonable evidence exists to indicate that the employee has engaged in any of the acts listed in *Texas Education Agency* on page 64.

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

## Dismissal or Nonrenewal of Contract Employees

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

Employees on probationary, term, and continuing contracts can be dismissed during the school year according to the procedures outlined in district policies. Employees on probationary or term contracts can be nonrenewed at the end of the contract term. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The time lines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. 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 time lines and procedures can be found in the DF series policies that are provided to employees or are available on line.

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

## Exit Interviews and Procedures

### *Policies DC and CY*

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

## Reports to Texas Education Agency

### *Policy DF, DHB*

The dismissal or resignation of a certified employee will be reported to the Division of Investigations at TEA whenever the termination is based on evidence that the employee was involved in any of the following:

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

The superintendent is also required to notify TEA when a certified employee resigns and there is evidence the educator engaged in the conduct listed above.

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

## Reports Concerning Court-Ordered Withholding

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

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

# Student Issues

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## Equal Educational Opportunities

*Policies FB, FFH*

Barbers Hill ISD does not discriminate on the basis of race, color, religion, national origin, sex, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to Barbara Ponder, the district Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to Marilyn Ropp, the district ADA/Section 504 coordinator. All other questions or concerns relating to discrimination based on any other reasons should be directed to the Superintendent.

## Student Records

*Policy FL*

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

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

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

## Parent and Student Complaints

*Policy FNG*

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

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

## Administering Medication to Students

*Policy FFAC*

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

## Dietary Supplements

*Policies DH, FFAC*

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

## Psychotropic Drugs

*Policy FFAC*

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

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

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

## Student Conduct and Discipline

*Policies in the FN series and FO series*

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

## Student Attendance

### *Policy FEB*

Teachers and staff should be familiar with the district's policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, the student upon returning to school, must bring a note signed by the parent that describes the reason for the absence. The note must be received within four days of 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. Any additional concerns regarding bullying should be directed to Sandra Duree, Asst. Superintendent of Curriculum & Instruction, ext. 1251. The district's policy includes definitions and procedures for reporting and investigating bullying of students and is reprinted below:

Note: This policy addresses bullying of District students. For provisions regarding discrimination, harassment, and retaliation involving District students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

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

Bullying occurs when a student or group of students engages in written or verbal expression or physical conduct that:

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

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

Reports of bullying 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.

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.

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

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. 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.

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.

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.

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

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

## Hazing

### *Policy FNCC*

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

# APPENDIX A

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Grievance Forms – *Policy DGBA Exhibit*

### EMPLOYEE COMPLAINT FORM – LEVEL ONE

To file a formal complaint, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the appropriate administrator within the time established in DGBA(LOCAL). All complaints will be heard in accordance with DGBA(LEGAL) and (LOCAL) or any exceptions outlined therein.

1. Name: \_\_\_\_\_

2. Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

3. Position: \_\_\_\_\_ Campus/Department: \_\_\_\_\_

4. If you will be represented in voicing your complaint, please identify the person representing you.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

5. Describe the decision or circumstances causing your complaint (give specific factual details).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. What was the date of the decision or circumstances causing your complaint? \_\_\_\_\_

7. Please explain how you have been harmed by this decision or circumstance. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. Please describe any efforts you have made to resolve your complaint informally and the responses to your efforts.

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With whom did you communicate? \_\_\_\_\_

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On what date? \_\_\_\_\_

9. Please describe the outcome or remedy you seek for this complaint. \_\_\_\_\_

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Employee signature: \_\_\_\_\_

Signature of employee's representative: \_\_\_\_\_

Date of filing: \_\_\_\_\_

*Complainant, please note:*

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

*Attach to this form any documents you believe will support the complaint; if unavailable when you submit this form, they may be presented no later than the Level One conference. Please keep a copy of the completed form and any support documentation for your records.*

### EMPLOYEE COMPLAINT FORM – LEVEL TWO

To appeal a Level One decision, or the lack of a timely response after a Level One conference, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the Superintendent or designee within the time established in DGBA (LOCAL). Appeals will be heard in accordance with DGBA(LEGAL) and (LOCAL) or any exceptions outlined therein.

1. Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

3. Position: \_\_\_\_\_ Campus/Department: \_\_\_\_\_

4. If you will be represented in voicing your complaint, please identify the person representing you.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

5. To whom did you present your complaint at Level One? \_\_\_\_\_

Date of conference: \_\_\_\_\_

Date you received a response to the Level One conference: \_\_\_\_\_

6. Please explain specifically how you disagree with the outcome at Level One. \_\_\_\_\_

\_\_\_\_\_

7. Attach a copy of your original complaint and any documentation submitted at Level One.

8. Attach a copy of the Level One response being appealed, if applicable.

Employee signature: \_\_\_\_\_

Signature of employee's representative: \_\_\_\_\_

Date of filing: \_\_\_\_\_

### EMPLOYEE COMPLAINT FORM – LEVEL THREE

To appeal a Level One decision, or the lack of a timely response after a Level One conference, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the Superintendent or designee within the time established in DGBA (LOCAL). Appeals will be heard in accordance with DGBA(LEGAL) and (LOCAL) or any exceptions outlined therein.

1. Name: \_\_\_\_\_

2. Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

3. Position: \_\_\_\_\_ Campus/Department: \_\_\_\_\_

4. If you will be represented in voicing your complaint, please identify the person representing you.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

5. To whom did you present your complaint at Level Two? \_\_\_\_\_

Date of conference: \_\_\_\_\_

Date you received a response to the Level Two conference: \_\_\_\_\_

6. Please explain specifically how you disagree with the outcome at Level Two. \_\_\_\_\_

\_\_\_\_\_

7. Do you want the Board to hear this appeal in open session? \_\_\_\_\_

*If so, the Board will consider your request; however, you may not have a legal right under the Texas Open Meetings Act to require a meeting in open session.*

8. Attach a copy of your original complaint and any documentation submitted at Level One and a copy of your Level Two appeal notice.

9. Attach a copy of the Level Two response being appealed, if applicable.

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Employee's Representative: \_\_\_\_\_

# APPENDIX B

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**Public Access to Employee Information**  
**Worker's Compensation Guidelines/Information**  
**Affordable Care Act Information**



**BARBERS HILL INDEPENDENT SCHOOL DISTRICT**  
**Personnel Department**

**Public Access to Employee Information**

The Texas Public Information Act allows employees to elect whether to keep personal information confidential. Unless you choose to keep it confidential, the following information may be subject to public release if requested under the Texas Public Information Act. (1) the employee’s address; (2) home telephone number; (3) Social Security number; (4) information relating to whether the employee has family members. Therefore, please indicate whether you wish to allow public release of the following information.

Other information maintained by the District regarding employees (e.g. employee names and work locations) is subject to public disclosure, regardless of the election made below.

**PUBLIC ACCESS PERMITTED:** I hereby elect to permit public access to my home address, telephone number, Social Security number, and information relating to whether I have family members in my home.

**PUBLIC ACCESS DENIED:** I hereby elect to deny public access to my home address, telephone number, Social Security number, and information relating to whether I have family members in my home.

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I hereby authorize Barbers Hill Independent School District and its duly authorized representatives to release information concerning or relating to my employment with the school district. This employment information, both oral and written, may include material contained in my personnel file and evaluative statements and judgments from my former supervisors. This employment information includes, but is not limited to academic, salary, achievement, performance, attendance, personal history, disciplinary records, and employment information. I hereby release any individual providing reference or employment information under this authorization including record custodians from any and all liability for damages of whatever kind or nature that may at any time result to me on account of compliance, or any attempts to comply, with this authorization.

**ALLOW PUBLIC ACCESS**      Yes                       No

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Campus

# EMPLOYEE NOTICE OF ALLIANCE REQUIREMENTS

## Important Contact Information

To locate a provider, go to [www.pswca.org](http://www.pswca.org).

To contact your adjuster at the TASB Risk Management Fund, visit [www.tasbrmf.org](http://www.tasbrmf.org) or call (800) 482-7276.

## Information, Instructions, Rights, and Obligations

If you are injured at work, tell your supervisor or employer immediately. The information in this notice will help you to seek medical treatment for your injury. Your employer will also help with any questions about how to get treatment. You may also contact your adjuster at the TASB Risk Management Fund (the Fund) for any questions about treatment for a work related injury. The Fund is your employer's workers' compensation coverage provider and they are working with your employer to ensure you receive timely and appropriate health care. The goal is to return you to work as soon as it is safe to do so.

- **How do I choose a treating doctor?**

If you are hurt at work **and** you live in the Alliance service area, you are required to choose a treating doctor from the provider list. This is required for you to receive coverage of healthcare costs for your work related injury. A provider listing is available through the Alliance website at [www.pswca.org](http://www.pswca.org) and a link to that site is also contained on the Fund's website at [www.tasbrmf.org](http://www.tasbrmf.org). It identifies providers who are taking new patients.

If your treating doctor leaves the Alliance, we will tell you in writing. You will have the right to choose another treating doctor from the list of Alliance doctors. If your doctor leaves the Alliance and you have a life threatening or acute condition for which a disruption of care would be harmful to you, your doctor may request that you treat with him or her for an extra **90 days**.

- **What if I live outside the service area?**

If you believe you live outside of the service area, you may request a service area review by calling your adjuster.

- **How do I change treating doctors?**

Within the first 60 days of beginning treatment, if you become dissatisfied with your first choice of a treating doctor, you can select an alternate treating doctor from the list of Alliance treating doctors in your service area. The Fund will not deny a choice of an alternate treating doctor. **However, before you can change treating doctors a second time, you must obtain permission from your adjuster.**

- **How are treating doctor referrals handled?**

Referrals for health care services that you or your doctor request will be made available on a timely basis as required by your medical condition. Referrals will be made **no later than 21 days** after the request. Your doctor should refer you to another Alliance provider unless it becomes medically necessary to make a referral outside of the Alliance. You do not have to get a referral if you are in need of emergency care.

- **Who pays for the healthcare?**

Alliance providers have agreed to seek payment from the Fund for your health care. They should not request payment from you. If you obtain health care from a doctor who is not in the Alliance without prior approval from your adjuster, you may have to pay for the cost of that care and your income benefits may be disputed. You may treat with medical providers that are **not contracted** with the Alliance only if one of the following situations occurs:

- Emergencies: You should go to the nearest hospital or emergency care facility.
- You do not live within an Alliance service area.
- Your treating doctor refers you to a provider or facility outside of the Alliance. This referral must be approved by your adjuster.

## EMPLOYEE NOTICE OF ALLIANCE REQUIREMENTS – PAGE 2

### How to File a Complaint

You have the right to file a complaint with the Alliance. You may do this if you are dissatisfied with any aspect of direct contract program operations. This includes a complaint about the program and/or your Alliance doctor. It may also be a general complaint about the Alliance. A complainant can notify the Alliance Grievance Coordinator of a complaint by phone, from the Alliance website [www.pswca.org](http://www.pswca.org) or in writing via mail or fax. Complaints should be forwarded to:

**PSWCA (The Alliance)**  
**Attention: Grievance Coordinator**  
**P.O. Box 763**  
**Austin, TX 78767-0763**  
**866-997-7922**

A complaint must be filed with the program grievance coordinator **no later than 90 days from the date the issue occurred**. Texas law does not permit the Alliance to retaliate against you if you file a complaint against the program. Nor can the Alliance retaliate if you appeal the decision of the program. The law does not permit the Alliance to retaliate against your treating doctor if he or she files a complaint against the program or appeals the decision of the program on your behalf.

### What to do when you are injured on the job

If you are injured while on the job, tell your employer as soon as possible. A list of Alliance treating doctors in your service area may be available from your employer. A complete list of Alliance treating doctors is also available online at [www.pswca.org](http://www.pswca.org). Or, you may contact us directly at the following address and/or toll-free telephone number:

**TASB Risk Management Fund**  
**P.O. Box 2010**  
**Austin, TX 78768**  
**(800) 482-7276**

### In case of an emergency...

If you are hurt at work and it is a life threatening emergency, you should go to the nearest emergency room. If you are injured at work after normal business hours or while working outside your service area, you should go to the nearest care facility. After you receive emergency care, you may need ongoing care. You will need to select a treating doctor from the Alliance provider list. This list is available online at [www.pswca.org](http://www.pswca.org). If you do not have internet access call (800) 482-7276 or contact your employer for a list. The doctor you choose will oversee the care you receive for your work related injury. Except for emergency care you must obtain all health care and specialist referrals through your treating doctor.

**Emergency care does not need to be approved in advance.** "Medical emergency" is defined in Texas laws. It is a medical condition that comes up suddenly with acute symptoms that are severe enough that a reasonable person would believe that you need immediate care or you would be harmed. That harm would include your health or bodily functions being in danger or a loss of function of any body organ or part.

## EMPLOYEE NOTICE OF ALLIANCE REQUIREMENTS – PAGE 3

### Non-emergency care...

Report your injury to your employer as soon as you can. Select a treating doctor from the Alliance provider list. This list is available online at [www.pswca.org](http://www.pswca.org). If you do not have internet access, call 800- 482-7276 or contact your employer for a list.

### Treatments Requiring Advance Approval

Certain treatments or services prescribed by your doctor need to be approved in advance. Your doctor is required to request approval from the TASB Risk Management Fund before the specific treatment or service is provided. For example, you may need to stay more days in the hospital than what was first approved. If so, the added treatment must be approved in advance.

The following non-emergency healthcare treatment requests must be approved in advance:

Inpatient hospital admissions
Outpatient Surgical or ambulatory surgical services
Spinal Surgery
All non-exempted work hardening
All non-exempted work conditioning
Physical or occupational therapy except for the first six (6) visits if those six visits were done within the first 2 weeks immediately following date of injury or date of surgery
Any investigational or experimental service
All psychological testing and psychotherapy
Repeat diagnostic studies greater than \$350.
All durable medical equipment (DME) in excess of \$500
Chronic pain management and interdisciplinary pain rehabilitation
Drugs not included in the TDI Division of Workers' Compensation Formulary
All narcotic medications dispensed greater than 60 days
Any treatment or service that exceeds the Official Disability Guidelines.

**The number your doctor must call to request one of these treatments is 800-482-7276, ext. 6654.** If a treatment or service request is denied, we will tell you in writing. This written notice will have information about your right to request a reconsideration or appeal of the denied treatment. It will also tell you about your right to request review by an Independent Review Organization through the Texas Department of Insurance.

# AVISO DEL EMPLEADO DE LOS REQUISITOS DE LA ALIANZA

## Información de contacto importante

Para localizar a un proveedor, visite [www.pswca.org](http://www.pswca.org).

Para contactar a un ajustador en el Fondo de Control de Riesgos de TASB, visite [www.tasbrmf.org](http://www.tasbrmf.org) o llame al (800) 482-7276.

## Información, Instrucciones, Derechos y Obligaciones

Si se lesionó en el trabajo, avise a sus supervisor o empleador inmediatamente. La información en este aviso le ayudará a recibir tratamiento médico para su lesión. Su empleador también le asistirá con cualquier pregunta que tenga para recibir tratamiento. También puede contactar a su ajustador en el Fondo de Control de Riesgos de TASB (el Fondo) para cualquier pregunta que tenga sobre el tratamiento de una lesión relacionada con el trabajo. El Fondo es su proveedor de cobertura de compensación al trabajador y está trabajando con su compañía para asegurarse de que reciba cuidados médicos a tiempo. La meta es que regrese a trabajar sin riesgos tan pronto como sea posible.

### ▪ ¿Cómo elegir un médico?

Si se lesionó en el trabajo y usted vive en el área de servicio de la Alliance, se requiere que usted elija un médico de la lista de proveedores. Sólo puede elegir a un médico de la lista de la Alliance. El médico **no** puede ser elegido de la lista de especialistas. Esto es necesario para que pueda recibir la cobertura de los costes sanitarios relacionados con el trabajo por su lesión. La lista de proveedores está disponible a través del sitio web de la Alliance en [www.pswca.org](http://www.pswca.org) Y un sitio también está contenida en el sitio Web de el Fund en [www.tasbrmf.org](http://www.tasbrmf.org). Identifica los proveedores que están aceptando nuevos pacientes.

Si su médico que le deja a la Alliance, le informaremos por escrito. Usted tiene el derecho de elegir a otro médico de la lista de la Alianza. Si su médico deja a la Alliance y usted tiene una condición que amenaza la vida en peligro o condición para que una perturbación de la atención sería perjudicial para usted, su doctor le puede pedir que tratar con él o ella por un extra de **90 días**.

### ▪ ¿Qué pasa si vivo fuera del área de servicio?

Si usted cree que vive fuera del área de servicio, puede llamar a su ajustador y pedirle que revise el área de servicio.

### ▪ ¿Cómo cambio de doctor?

Si está insatisfecho con su doctor, puede elegir un doctor diferente de la lista de doctores en el área de servicio donde usted vive. El Fondo le da la opción de elegir un doctor diferente. **Antes de que cambie de doctores una segunda vez, debe obtener el permiso de su ajustador.**

### ▪ ¿Cómo se maneja la referencia de doctores?

Las referencias de los servicios médicos que usted y su doctor soliciten estarán disponibles en el tiempo requerido en base a su condición médica. Las referencias serán hechas **en menos de 21 días** después de su petición. Su doctor debe referirlo a otro proveedor de la Alianza a menos de que sea médicamente necesario hacer la referencia afuera de la Alianza. No tiene que obtener una referencia si necesita de cuidados de emergencia.

### ▪ ¿Quién paga por los cuidados médicos?

Los proveedores de la Alianza han acordado pedir el pago al Fondo para sus cuidados médicos. No deben pedirle pagos a usted. Si obtiene cuidados médicos de un doctor que no está en la Alianza sin tener aprobación previa de un ajustador, tal vez tenga que pagar los costos de su cuidado. Puede recibir tratamiento de los proveedores médicos que **no pertenezcan** a la Alianza sólo si sucede una de las siguientes situaciones:

- Emergencias: Debe acudir al hospital o instalaciones de emergencia más cercanas.
- Si no vive dentro del área de servicio de la Alianza
- Si su doctor lo manda a un proveedor o instalación fuera de la Alianza. Esta instalación o especialista debe ser aprobado por un ajustador.

## Notice to Employees: Requirements of the Affordable Care Act

**As of January 1, 2014, the Affordable Care Act (ACA) requires you to have health insurance for yourself and your dependents.** Some people are exempt from this requirement. To learn how to apply for an exemption see *Questions and Answers on the Individual Shared Responsibility Provision*, [www.irs.gov/uac/Questions-and-Answers-on-the-Individual-Shared-Responsibility-Provision](http://www.irs.gov/uac/Questions-and-Answers-on-the-Individual-Shared-Responsibility-Provision). If you do not have health insurance and you are not exempt, you may be subject to a penalty (see [www.healthcare.gov/what-if-someone-doesnt-have-health-coverage-in-2014](http://www.healthcare.gov/what-if-someone-doesnt-have-health-coverage-in-2014)).

**Enrollment in TRS-ActiveCare satisfies the requirement to have health insurance.** The TRS-ActiveCare Enrollment Guide explains who is eligible to enroll in ActiveCare. Enrollment in another plan, such as through a spouse, parent, or association, also satisfies the requirement to have health insurance if the plan provides minimum essential coverage. The district offers health coverage through TRS-ActiveCare to all eligible employees and their eligible dependents. Eligibility is described in the ActiveCare Enrollment Guide. The coverage offered by ActiveCare meets the minimum value standard and the cost of this coverage to you is intended to be affordable.

**As an alternative to ActiveCare or another health insurance program, you may enroll in insurance through the Health Insurance Marketplace.** In Texas, the Marketplace is a federal government program that will offer “one-stop shopping” to find and compare private health insurance options. Most individuals are eligible to enroll in insurance through the Marketplace.

**You may be eligible for a premium tax credit or other assistance toward insurance obtained through the Marketplace, depending on your household income.** More information on the premium tax credit and other cost sharing provisions is available at [www.healthcare.gov](http://www.healthcare.gov). Please note that the district will not contribute to premium costs if you enroll in insurance through the Marketplace. Also, you will lose the benefit of paying the premium with pre-tax income if you purchase insurance through the Marketplace.

**You are encouraged to enroll in ActiveCare during annual open enrollment, if you are eligible.** You will not be able to enroll in ActiveCare to avoid the ACA penalty unless you experience a special enrollment event. The district’s section 125 plan (cafeteria plan) does not permit you to drop insurance before the end of the plan year.

**Additional information.** If you have questions or concerns about the health insurance offered through the district, please contact: Sandra Westerberg, ext. 1284. Questions about the Marketplace and how the Affordable Care Act impacts you as an individual should be addressed to [www.healthcare.gov](http://www.healthcare.gov) or your personal attorney.

### Basic Information About Health Care Offered By The District

If you decide to shop for coverage in the Marketplace, below is the employer information you will enter at HealthCare.gov to find out if you are eligible for a premium tax credit. This information is numbered to correspond to the Marketplace application.

3. Employer name Barbers Hill Independent School District		4. Employer Identification Number (EIN) 74-6001748	
5. Employer Address P.O. Box 1108		6. Employer phone number 281-576-2221	
7. City Mont Belvieu	8. State TX	9. Zip code 77580	
10. Who can we contact about employee health coverage at this job? Sandra Westerberg			
11. Phone number (if different from above) 281-576-2221 x1284		12. Email address swesterberg@bhisd.net	

# APPENDIX C

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## **Local Procedures/Guidelines**

- **Finance Manuel (Link)**
- **Technology – Acceptable Use Guidelines**
- **Energy Management Procedures/Guidelines [Per Policy CL Local]**

BARBERS HILL INDEPENDENT SCHOOL DISTRICT

# FINANCE MANUAL

## Operating Procedures

All district employees are expected to abide by the guidelines established by the Business Office in the Finance Manual. The complete manual can be found on the Barbers Hill ISD website at the following link: [Finance Manual](#).

## **Technology – Responsible Use Guidelines**

Barbers Hill Independent School District is pleased to be able to offer our student and staff access to computer technology, including access to the Internet, certain online services, and a robust network. The operation of technology in the district relies heavily on the proper conduct of the users. Every Barbers Hill ISD user has the responsibility to respect and protect the right of every user in our community. Barbers Hill ISD users are expected to act in a responsible, ethical and legal manner, in accordance with the missions and purposes of the networks they use on the Internet and with the laws of Texas and the United States.

The District's electronic system will be used only for administrative and educational purposes consistent with the District's mission and goals. Commercial use of the District's system is strictly prohibited. The District will provide training to employees in proper use of the system and will provide all users with copies of acceptable use guidelines. All training in the use of the District's system will emphasize the ethical use of this resource. Copyrighted software or data may not be placed on any system connected to the District's system without permission from the holder of the copyright.

### ***System Access:***

Adherence to the following policy is necessary for continued access to the school's technological resources:

- District employees will be granted access to the District's system once the Responsible Use Guidelines have been reviewed and signed.
- System users are required to use District provided Internet access for all instructional and administrative duties during contracted hours.
- System users will only use assigned accounts/passwords and is responsible for proper use/security of these accounts.
- System users may not use another person's system account without written permission from the campus administrator or Technology Director, as appropriate.
- The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by District Policy.

### ***Individual User Responsibility:***

The following standards will apply to all users of the District's electronic information/communications system:

- System users will observe all district Internet filters and posted network security practices.
- Users will refrain from distributing private information about others or themselves on blogs, web forms, or other websites using the Barbers Hill ISD network.

### ***Termination/Revocation of System User Account:***

The District may suspend or revoke a system user's access to the District's system upon violation of the District's Responsible Use Guidelines. Termination of an employee's account will be effective on the date the principal or Technology Director receives notice of revocation of system privileges, or on a future date if so specified in the notice.

Any system user identified as a security risk or having violated District and/or campus responsible use guidelines will be denied access to the District's system.

### ***Availability of Access:***

The District Technology Director shall implement, monitor, and evaluate electronic media resources for instructional and administrative purposes.

Access to the District's electronic communications system, including the Internet, shall be made available to students and employees primarily for instructional and administrative purposes and in accordance with administrative regulations.

Access to the District's electronic communications system is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the system and shall agree in writing to comply with such regulations and guidelines.

Noncompliance with applicable regulations may result in suspension or termination of privileges and other disciplinary action consistent with District policies. Violations of law may result in criminal prosecution as well as disciplinary action by the District.

### ***Acceptable Use:***

The District administration and Board of Trustees shall develop and implement administrative guidelines, and user agreements, consistent with the purposes and mission of the District and with law and policy governing copyright.

### ***Monitored Use:***

Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be confidential and may be monitored, edited, or removed at any time by designated District staff to ensure appropriate use for educational or administrative purposes. Access to electronic materials will be provided or denied solely upon the discretion of designated District staff.

The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the District's electronic communications system. The District shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions, user's mistakes or negligence, or costs incurred by users. The District shall not be responsible for ensuring the accuracy or usability of any information found on the Internet.

# **Energy Management Procedures and Guidelines**

(Board Policy CL Local)

The energy management department shall develop a comprehensive program for energy efficient operations in the District. The goal of the program is to maximize energy efficiency throughout the District with proper consideration given to environmental, indoor air quality, and safety issues involving all personnel within the District. The energy management department shall be responsible for the implementation, operation, and enforcement of the program.

In response to our local policy the “Energy Committee” was formed September, 2011 to evaluate our current energy conditions. A representative from each school was included and consisted of Principals, Assistant Principals, Secretaries, Maintenance and Operations, Custodial, and Administration staff. Over the course of the year the committee met nine times and collaboratively, came up with eight procedures to help with safety and energy issues:

1. Compact fluorescent lamps (CFL) are to be used in all personal lamps not issued by the district.
2. Coffee pot usage is not allowed in the classroom due to safety issues
3. Toasters are not allowed in the classroom due to safety issues.
4. Plug-in air fresheners are not allowed in the classroom as they violate fire code in Mont Belvieu, Texas.
5. Wax-based, “Scentsy”, air fresheners are both an indoor air quality and safety issue. Any air quality issues will be addressed by the Energy Manager.
6. Electric hot plates are not allowed due to safety issues. They also cause an electrical overload to building circuitry.
7. Microwaves are not allowed in classrooms, only in common areas. These appliances cause an electrical overload building circuitry.
8. Space Heaters are not allowed in the district. This appliance causes an electrical overload to building circuitry, and is a safety issue.

# Index

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- Administering medication, 65
- Administration, 8
- Alcohol and drug
  - abuse prevention, 53
  - testing, 11
- Annualized compensation, 15
- Arrests and convictions, 52
- Asbestos management plan, 58
- Assault leave, 29
- Associations and political activities, 57
- Attendance Incentive, 22
- At-will employment, 10
- Automatic payroll deposits, 15
- Background checks, 52
- Bad weather closing, 60
- Benefits
  - cafeteria plan, 18
  - health insurance, 17
  - leave, 21
  - MERP, 18
  - retirement, 19
  - supplemental insurance, 18
  - workers' compensation, 19, 29
- Board of Trustees
  - information, 7
  - meeting schedule, 7
  - members, 7
- Breaks, 13
- Breast milk, 13
- Building use, 61
- Bullying, 66
- Cafeteria benefits, 18
- Certification
  - health and safety training, 11
  - parent notification, 13
  - maintaining, 10
- Change of name/address, 60
- Charitable Contributions, 57
- Child abuse reporting, 48
- Code of ethics, 34
- Compensation, 15
- Complaints
  - employee, 32
  - parent and student, 64
- Computer use, 49-52
- Conduct and welfare, 34
- Conflict of interest, 56
- Contract
  - employment, 9
  - noncertified employees, 9
  - nonrenewal, 62
- Copyright materials, 56
- Court appearances, 30
- Court order withholding, 63
- Crime Reporting, 49
- Criminal history background checks, 52
- Data management, 49
- Dietary supplements, 65
- Directories
  - helpful contacts, 8
- Disaster Pay, 17
- Discipline, 65
- Discrimination
  - employee, 37
  - student, 43
- Dismissal
  - contract employees, 62
  - noncontract employees, 62
- District
  - communications, 31
  - information, 5
  - vehicles, 59
  - vision, 5
  - mission statement, 5
- Donated Sick Leave Plan, 25
- Dress Code, 47
- Drug
  - abuse prevention, 53
  - psychotropic, 65
  - testing, 11
- E-cigarettes, 55
- Electronic communications, 49-52
- Emergencies, 60
- Employee
  - conduct and welfare, 34
  - dress code, 47
  - involvement, 14
  - recognition, 31
- Employment
  - after retirement, 9
  - at-will, 10
  - contract, 9
  - noncontract, 9
- Energy Management Policy, 84

Equal Educational Opportunity, 64  
 Every Student Succeeds, 13  
 Exchange Days, 14  
 Exit Interviews, 63  
 Family and Medical Leave, 26  
 Finance Manual, Appendix C  
 Firearms, 57  
 Fraud, 56  
 General Procedures, 60  
 Gifts and Favors, 56  
 Grievances, 32, Appendix A  
 Harassment, 37, 40  
 Hazing, 67  
 Health insurance, 17  
 Health safety training, 11  
 Helpful contacts, 8  
 Indoor Air Quality, 58  
 Insurance  
     health, 17  
     supplemental, 18  
     unemployment, 19  
     workers' compensation, 19  
 Internet use, 49-52  
 Job vacancy announcements, 9  
 Jury duty, 30  
 Leave  
     assault, 29  
     court appearances, 30  
     discretionary, 22  
     donated, 25  
     family and medical, 26  
     jury duty, 30  
     local, 23  
     military, 26, 30  
     nondiscretionary, 22  
     non-duty/leave without pay, 25  
     personal, 22  
     reimbursement, 24  
     state, 23  
     state competition, 29  
     temporary disability, 28  
 Medications, 65  
 Military leave, 26, 30  
 Mission statement, 5  
 Name and address changes, 60  
 Nonrenewals, 62  
 Nursing mothers, 13  
 Outside employment, 13  
 Overtime, 16  
 Parent and student complaints, 64  
 Parent notification, 13  
 Paychecks, 15  
 Payroll, 15  
     automatic deposits, 15  
     deductions, 16  
     schedule, 15  
 Performance evaluation, 14  
 Personal Cell Phone Use, 59  
 Personal leave, 22  
 Personnel records, 61  
 Pest control treatment, 58  
 Political activities, 57  
 Possession of firearms and weapons, 57  
 Psychotropic drugs, 65  
 Public Access to Employee Information,  
     Appendix B  
 Purchasing procedures, 60  
 Reassignments, 12  
 Resignations, 62  
 Retirement  
     benefits, 19  
     employment after, 9  
 Safety, 57  
 Salaries, 15  
 School Directory, 8  
 School Closing, 60  
 Searches, 11  
 Sexual harassment  
     student, 40  
 Sick leave, 23  
 Staff development, 14  
 Standards of conduct, 34  
 Stipends, 15  
 Student  
     attendance, 66  
     bullying, 66  
     dietary supplements, 65  
     discipline, 65  
     equal educational opportunities, 64  
     harassment, 40  
     hazing, 67  
     medication, 65  
     records, 64  
 Supplemental insurance, 18  
 TEA Reports, 63  
 Teacher retirement, 19

Technology Use Guidelines, 82, Appendix C  
Temporary disability leave, 28  
Termination, 62  
    dismissal during the contract term, 62  
    exit interviews, 63  
    noncontract employees, 62  
    nonrenewal, 62  
    reports to TEA, 63  
    resignation, 62  
Text messaging, 49-52, 60  
Tobacco Products/Use, 55  
Training - Health/Safety, 11  
Training - Staff Development, 14  
Transfers, 12  
Travel expenses, 17  
Tutoring, 13  
Unemployment insurance, 19  
Unlawful Acts, 27  
Vacancy announcements, 9  
Visitors, 58  
Wages, 15  
Weapons, 57  
Whistleblower Act, 49  
Work schedule, 12  
Workers' compensation benefits, 19, 29  
    Appendix B  
Workload, 12