

EMPLOYEE STANDARDS OF CONDUCT

DH
(REGULATION)

PROFESSIONAL
AND PERSONAL
CONDUCT

All District employees must recognize and respect the rights of students, parents, other employees, and members of the community and should work cooperatively with others to serve the best interests of the District. All District employees are role models for the District's students, and are therefore responsible for their public conduct even when they are not acting as District employees.

VIOLATIONS OF
STANDARDS OF
CONDUCT

Employees shall comply with the standards of conduct set out DH (Local), DH (Exhibit), this Regulation, any Working Agreement, and all guidelines in the Employee Handbook, as well as 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.

EMPLOYEE'S
DUTIES DURING AN
INVESTIGATION

Throughout the course of an official District administrative investigation or inquiry, every District employee has an affirmative duty to provide to his or her supervisor(s) or any other District official assigned to investigate all relevant and factual information about matters inquired. Employees failing to volunteer such information shall receive a directive from an administrator to provide a statement. The employee's failure to comply with the directive constitutes "insubordination," a violation that will be grounds for disciplinary action up to and including termination.

During an investigation, an employee shall:

1. Direct all inquiries from a third party to the Associate Superintendent for Human Resources;
2. Refrain from discussing the subject matter of the investigation with anyone, unless specifically asked to do so by the Legal Services or Human Resources Departments; and
3. Cooperate with the investigative process through answering questions, furnishing written statements, volunteering information important to the investigation, and the like.

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ARRESTS,
INDICTMENTS,
CONVICTIONS, AND
OTHER
ADJUDICATIONS

District employees are expected to abide by the law at all times. Conviction or adverse adjudication, including a plea of *nolo contendere* or deferred adjudication for a felony offense or misdemeanor involving moral turpitude, may be the basis for disciplinary action, up to and including termination.

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.

The District may conduct annual criminal history checks on its employees.

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EXCEPTION The requirement to report a conviction or deferred adjudication shall not apply to minor traffic offenses. An offense of DWI or DUI is not a minor traffic offense.

CONSIDERATION Being convicted of or receiving adjudication for a crime shall not be an automatic basis for termination. The District shall consider the following factors in determining what action, if any, should be taken against an employee who receives deferred adjudication for or is convicted of a crime during employment with the District:

1. The nature of the offense.
2. The date of the offense.
3. The relationship between the offense and the position to which the employee is assigned.

**OPERATORS OF
MOTORIZED
VEHICLES** All employees who drive a district vehicle, operate mobile equipment, or receive a district travel allowance or mileage reimbursement must undergo an annual driver's license record check. An acceptable driving record as determined by the Texas School Bus Drivers' Driving Evaluation criteria (less than 10 points in a three year period) must be shown to maintain eligibility to drive/operate vehicles/mobile equipment or receive the travel allowance or mileage reimbursement.

Mobile equipment includes but is not limited to such equipment as street vehicles (cars/trucks), tractors, riding lawnmowers, forklifts, pallet jacks, ditch witches, and golf carts.

**NOTICE OF
TRAFFIC
VIOLATIONS** All employees who drive a district vehicle, operate mobile equipment, or receive a district travel allowance or mileage reimbursement must notify their immediate supervisors immediately of any driving citation or conviction of a traffic violation. Supervisors receiving such notice will immediately notify the Human Resources Department. Payment for any citations received while driving a district vehicle is the responsibility of the driver. The reporting provision applies to citations or convictions as a result of operating either a district vehicle or personal vehicle.

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Pursuant to Commercial Driver's License (CDL) requirements, a CDL driver must notify his/her employer, in writing and within 30 days, of a conviction for any traffic violation regardless of the type of vehicle being driven at the time of the violation.

ELECTRONIC
MEDIA

Employees are prohibited from communicating with students who are enrolled in the district through electronic media, except as set forth herein.

PRE-EXISTING
RELATIONSHIPS

An employee is not subject to this prohibition to the extent the employee has a pre-existing social or family relationship with the student. For example, an employee may have a pre-existing 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.

DEFINITIONS

The following definitions apply for purposes of this section:

"Electronic media" includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn), and 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 below. Unsolicited contact from a student through electronic means is not a communication.

"Authorized Personnel" includes classroom teachers, counselors, principals, assistant principals, directors of instruction, coaches, campus athletic coordinators, athletic trainers, and any other employee designated in writing by the superintendent or a campus principal.

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LIMITED
ELECTRONIC
COMMUNICATION
WITH STUDENTS

Authorized Personnel may communicate through electronic media with students who are currently enrolled in the district only within the following guidelines:

1. 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).
2. The employee is prohibited from communicating with students through a personal social network page; the employee must create a separate social network page ("professional page") for this purpose. The employee must enable administration and parents to access the employee's professional page.
3. Only a teacher, coach, trainer, or other employee who has an extracurricular duty may communicate with students through text messaging. The employee may communicate only with students who participate in the extracurricular activity over which the employee has responsibility.
4. The employee shall not communicate with any student between the hours of 11:30 p.m. and 5:00 a.m. An employee may, however, make public posts to a social network site, blog, or similar application at any time.
5. 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.
6. 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:
 - Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student. [See DF(LEGAL)]
 - Confidentiality of student records. [See FL(LEGAL)]
 - Confidentiality of other district records, including educator

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evaluations, credit card numbers, and private email addresses. [See FL(LEGAL)]

7. Upon written request from a parent, the employee shall discontinue communicating with the parent's minor student through e-mail, text messaging, instant messaging, or any other form of one-to-one communication.
8. 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

PERSONAL USE OF
ELECTRONIC
MEDIA

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 maintaining privacy settings appropriate to the content. Employees are prohibited from communicating with students through a personal social network site.

For all electronic media, employees are subject to certain state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off campus. These restrictions include:

- Confidentiality of student records. [See FL(LEGAL)]
- Confidentiality of other district records, including educator evaluations and private e-mail addresses. [See GBA(LEGAL)]
- Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. [See DH(EXHIBIT)]

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- Prohibition against harming others by knowingly making false statements about a colleague or the school system.
[See DH(EXHIBIT)]