

Mt. VERNON

Independent School District



501 Highway 37 South, Mount Vernon, TX 75457 Phone: 903-537-2546

Employee Handbook

2015 - 2016

Mount Vernon ISD does not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age, disability, military status, or on any other basis prohibited by law. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities. The District also does not discriminate in providing education or providing access to the benefits of educational services, activities, and programs, including career and technology education programs, in accordance with Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Age Discrimination Act of 1975 (34 CFR Part 110); Section 504 of the Rehabilitation Act of 1973, as amended; Title II of the Americans with Disabilities Act of 1990; and local Board policies.

MVISD will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. An employee with a disability requiring reasonable accommodation(s) should begin the interactive process by contacting the ADA/Section 504 Coordinator.

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Employee Handbook Receipt

Name _____

Campus/Department _____

I hereby acknowledge receipt of a copy of the Mount Vernon MOUNT VERNON ISD Employee Handbook and the Acceptable Use Policy. I agree to read the handbook and abide by the standards, policies, and procedures defined or referenced in this document.

Employees have the option of receiving the handbook in electronic format or hard copy. The Employee Handbook can be accessed on line at www.mtvernonisd.net *Human Resources*.

Please indicate your choice by checking the appropriate box below:

- I choose to receive the employee handbook in electronic format and accept responsibility for accessing it according to the instructions provided.
- I choose to receive a hard copy of the employee handbook.

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

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

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

Signature

Date

Please sign and date this receipt and forward it to your supervisor.

NOTE: ANY CHANGES IN TEXAS STATE LAW OR BOARD POLICY SUPERCEDES CODES IN THIS HANDBOOK.

Introduction

Welcome to the Mount Vernon Independent School District, a dynamic and creative environment where every employee makes a difference for children. We are dedicated to the MVISD mission that “Together we will achieve Excellence”. Mount Vernon ISD believes that all students will progress academically and intellectually, and will graduate prepared for personal success and inspired to contribute to society. You will see devotion to that purpose reflected throughout this document and in our daily activities.

Please call your supervisor or the MVISD Office of Human Resources for help when you need it. Best wishes in your exciting and rewarding career with the Mount Vernon Independent School District.

About This Handbook

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

This handbook is neither a contract nor a substitute for the official district policy manual. Nor is it intended to alter the at-will status of 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.mtvernonisd.net

District Information

Mission Statement, Goals, and Objectives

Policy AE

Mission Statement

“Together We Will Achieve Excellence”

Vision Statement

The Vision of MVISD is excellence in every area; as a result, our expectations of each other must be high. The staff will partner with the community and parents to provide each student a diverse education in a safe, supportive environment that instills self-discipline, motivation and excellence in learning. We will inspire, challenge and expect our students to view standardized academic knowledge as merely the beginning of a quality education. Therefore, the instruction at MVISD will demand excellence and the staff will be professional and purposeful. The experience of learning will be motivating, and the young men and women who walk across the graduation stage each year will be thoughtful, self-sufficient adults prepared for success in a global community.

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 annually and serve three-year terms. Trustees serve without compensation, must be registered voters, and must reside in the district.

Current board members include:

- Richard Carr – President
- Steve Asay – Vice President
- Allison Rios - Secretary
- Marie Latortue
- Aaron Sanders
- Brad Hyman
- Chris James

The board meets the second Monday of the month at 6:00 PM. In the event that large attendance is anticipated, the board may meet at High School Lecture Hall. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the district Web site and Administration Office 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.

Administration

Dr. Mark Jackson, Interim Superintendent
Vicki Brantley, Director of Human Resources and Special Services
Carolyn Newsom, Curriculum Director
Woodrow Thomas, Technology Director
June Malone, Business Manager
John Duvall, Director of Operations
Dana Reeves, School Police Chief

Kelly Baird, High School Principal
Karl Whitehurst High School Assistant Principal
Craig Watson, Junior High Principal
Kathie Thompson, Intermediate Principal
Jennifer Sumrow, Elementary Principal
Latrishia English, Elementary Assistant Principal

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 using the directions below.

| | |
|-------------------|-----------|
| Superintendent | Ext. 1212 |
| Human Resources | Ext. 1216 |
| Payroll | Ext. 1218 |
| Benefits | Ext. 1214 |
| Accounts Payable | Ext. 1213 |
| Curriculum | Ext. 1204 |
| PEIMS | Ext. 1201 |
| Technology | Ext. 1208 |
| Special Education | Ext. 1216 |

Calendar

The Mount Vernon ISD calendar is distributed to employees and the public annually. Holidays may vary from year to year. The calendar includes days for instructional preparation. Refer to the approved district calendar for school holidays at the following website:
www.mtvernonisd.net.

| 2015-2016 Mt. Vernon ISD Calendar | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|---|--|--|--|--|--|--|---|--|
| JULY S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 | | | | | | | JANUARY S M T W T F S H 2 3 [SD] 5 6 7 8 9 10 11 12 13 14 15 16 17 [SD*] 19 20 21 22 23 24 25 26 27 28 29 30 31 | | | | | | | First Semester 82 days Second Semester 98 days | |
| AUGUST S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 NT NT 15 16 SD SD SD SD WD 22 23 [24] 25 26 27 28 29 30 31 | | | | | | | FEBRUARY S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 [12] 13 14 [SD*] 16 17 18 19 20 21 22 23 24 25 26 27 28 29 | | | | | | | Grading Periods Aug. 24-Oct.2 [29 days] Oct. 5-Nov. 6 [24 days] +1 Nov. 9-Dec.16 [27 days] +1 Jan. 4-Feb. 12 [28 days] +2 Feb. 15-Apr. 8 [33 days] +1 Apr. 11-May 27 [34 days] | |
| SEPTEMBER S M T W T F S 1 2 3 4 5 6 H 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 ER | | | | | | | MARCH S M T W T F S 1 2 3 4 5 6 H H H H H 12 13 14 15 16 17 18 19 20 21 22 23 24 26 27 28 T T T | | | | | | | New Teacher Inservice August 13-14 In-Service/Contract Days Aug. 17-21, Dec. 19, May 28 State Waiver Days - Oct. 12, Nov 25, Jan.4, Jan.18, Feb. 15 Graduation - May 27 | |
| OCTOBER S M T W T F S 1 2] 3 4 [5] 6 7 8 9 10 11 SD 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 | | | | | | | APRIL S M T W T F S T 2 3 4 5 ER 7 8] 9 10 [11] 12 13 14 15 16 17 18 19 20 21 23 24 25 26 27 28 29 30 | | | | | | | NT New Teacher Inservice H District Holiday SD Staff Development/ Student Holiday District Bad Weather Day WD Teacher Work Day * Staff Exchange Day ER Early Release - 12:30 T State Testing Day Summer School June 6- 23 (Mon-Thurs.) | |
| NOVEMBER S M T W T F S 1 2 3 ER 5 6] 7 8 [9] 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 SD* H H 28 29 30 | | | | | | | MAY S M T W T F S 1 T T T T T 7 8 T T T T T 14 15 16 17 18 19 20 21 22 23 24 25 26 ER] WD 29 30 31 | | | | | | | | |
| DECEMBER S M T W T F S 1 2 ER 4 5 6 T T T T T 12 13 14 15 16 17 ER] WD 20 H H H H H 26 27 H H H H | | | | | | | JUNE S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 T T 23 24 25 26 27 28 29 30 | | | | | | | | |

Types of Employees

Regular Employee

A regular employee works a minimum of 20 hours/week, occupies an approved position in the District budget and is eligible for insurance and leave benefits. Regular employees include professional and at-will/classified employees.

Part-time Employee

A part-time employee is defined as an employee who works less than 40 hours/week. A part-time employee may be either a regular employee or a temporary/hourly employee.

Temporary/Hourly Employee

A temporary/hourly employee is paid only for time worked, does not occupy an approved position in the District budget and is not eligible for insurance or leave benefits. The employment status of a temporary/hourly employee is identical to the employment status of a substitute as expressed below.

Substitute

A substitute is available to work in place of a regular employee when that employee is out on leave or in a vacancy while that vacancy is in the process of being filled. Qualifications for working as a substitute in Mount Vernon ISD will be maintained by the Office of Human Resources.

Rates of pay for substitutes are established by the Board of Trustees.

Employment Status of Substitutes

1. An individual who has been approved for inclusion on the substitute list has no expressed or implied right to any particular assignment at any time.
2. Any individual who has been approved for inclusion on the substitute list serves at the will of the District and has no expressed or implied right to continued employment with the District.
3. At any time and without prior notice, the District may, at its sole discretion, elect to stop utilizing the services of any individual on the substitute list. This decision may not be appealed.

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 at least a two-year lapse in district employment also may be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed 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. The Superintendent or designee may remove, assign, or reassign supplemental duties at any time during the contract term.

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.

Schedule of Contracted Days

Standard Teacher contracts are 187 days, however, contract terms may differ depending on assignment

Scheduled days to work:

180 - Student days (Bus Drivers)

181 - Return 1 day before students (Cafeteria Workers)

- 187 - Standard School Calendar (student/teacher with holidays and SD days)
- 197 - Return to school 5 days before teachers return and last day is 5 days after teachers
- 202 - Return 10 days before teachers, last day is 5 days after teacher
- 226 - 12 months with 10 days of non-work days in summer
- 260 - 12 months with earned vacation days.

Classified and At-Will Employees Support employees are employed at will and will be notified of the required duty days, holidays, and hours of work for their position on an annual basis. These employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

Employment

Equal Employment Opportunity

Policies DAA, DIA

MOUNT VERNON ISD does not discriminate against any employee or applicant for employment because of race, color, religion, gender, 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 about discrimination based on sex, including sexual harassment should contact the Superintendent, the district Title IX coordinator. Employees with questions or concerns about discrimination on the basis of a disability should contact the Director of Human Resources or the district ADA/Section 504 coordinator. Questions or concerns relating to discrimination for any other reason should be directed to the Superintendent.

Personnel Files

A personnel file is maintained in the Office of Human Resources for each person working in MVISD. Some of the items contained in an employee's personnel file include: application form, appointment letter, change of assignment letter, salary letter, personnel action sheets, appraisals, contracts, a copy of the social security card, official college transcripts, and service records. Other documents related to a person's employment in MVISD may also be maintained in the personnel file. All medical records, if any, will be kept in a separate confidential file.

Campus personnel files may also be maintained by the campus administration. The Professional Development Appraisal System observation records are maintained in this file, as well as other documents related to the employee's school activities.

Employees have the right to review their own personnel files with reasonable notice to their supervisor or the Office of Human Resources. The public may also request to review and or obtain copies of personnel files through the Texas Public Information Act. Certain information contained in personnel files, however, is confidential and is not released to the public. The Director of Human Resources an employee when a request has been made for a copy of his or her personnel file by a member of the public.

Employees may choose to have the following personal information withheld:

- Address
- Phone number

- Social Security number
- E-mail address
- Information that reveals whether they have family members

The choice to not allow public access to this information may be done at anytime by submitting a written request to the Office of Human Resources. New or terminating employees have 14 days after hire or termination to submit a request. Otherwise, personal information will be released to the public.

It is important that public records be kept up to date. Employees must notify the Office of Human Resources if there are any changes or corrections to their name or emergency contact. Forms to process a change in personal information can be obtained from the Office of Human Resources.

Schedules

Professional Employees

Professional and administrative employees are exempt from overtime pay and are employed on a 10 month (187 days), 11 month (202 days) or 12 month (226 days) basis, according to the work schedules set by the district. A school calendar is adopted each year designating the work schedule for teachers and all school holidays. Notice of work schedules including required days of service and scheduled holidays will be distributed each school year.

Classroom teachers will have planning periods for instructional preparation, 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. 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.

Length of Instructional Day

Generally, the length of the instructional/work day is 8 hours. However, some schools have extended the school day or adjusted hours for various reasons. To find the exact hours of operation, contact the school in question. Central Administration offices are open from 8:00 until 5:00.

Job Vacancy Announcements

Policy DC

Announcements of job vacancies by position and location are posted on a regular basis to the district's web site, [Mount Vernon ISD Job Opportunities](#) .

Employment After Retirement

Policy DC

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

Work Assignment

Professional Employees

Making sure that the best interests of the schools are being served is the main consideration when the district assigns employees to schools. The field(s) of certification, licensing, and area(s) of specialization are considered when assigning an employee to a job.

On the local campus, the principal determines a teacher's teaching assignment. Employees are subject to assignment and reassignment by the Superintendent or designee.

Go to this link and select DK (LOCAL) [Policy DK](#).

Classified/At-Will Employees

Making sure the best interests of the schools and departments are being served is the main consideration when the District assigns employees to a school, department, or facility. The employee's qualifications, licensing, specializations, and certifications are considered when he/she is assigned to a job. Employees are subject to assignment and reassignment by the Superintendent or designee. Go to this link and select DK (LOCAL) [Policy DK](#). If an employee wishes to apply for other vacant/open positions, for which he or she qualifies, then he or she should submit an internal application through the district's application system. Classified employees must be in their correct assignment for a minimum of 135 calendar days before their internal application can be processed.

Reassignments and Transfers

Policy DK

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

An employee with the required qualifications for a position may request a transfer to another campus or department. A written request for transfer must be completed and signed by the employee and the employee's supervisor. A teacher requesting a transfer to another campus before the school year begins must submit his or her request by July 1. Requests for transfer during the school year will be considered only when the change will not adversely affect students

and after a replacement has been found. All transfer requests will be coordinated by the Superintendent's office and must be approved by the receiving supervisor.

Workload and Work Schedules

Policies DEA, DL

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

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

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

Teacher Work Day. The teacher workday is from 7:30 am - 3:45 pm. To receive credit for ½ day the teacher must be present for at least 4 consecutive hours of the working day.

Outside Employment and Tutoring

Policy DBD

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

Performance Evaluation

Policy DN series

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the

district. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

Notification to Parents Regarding Qualifications

Policies DK, DBA

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

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

Employee Involvement

Policies BQA, BQB

At both the campus and district levels, MOUNT VERNON 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 Curriculum Director.

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.

Direct Communication With Board Members

Employees shall not be prohibited from communicating with Board members regarding District

operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.

The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Formal Process

If an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she may initiate the formal process described below by timely filing a written complaint form.

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

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

Freedom From Retaliation

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

Notice To Employees

The principal of each campus and other supervisory personnel shall inform employees of this policy.

Compensation and Benefits

Salaries, Wages, and Stipends

Policies DEA, DEAA

Employees are paid in accordance with administrative guidelines and an established pay structure. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. Professional employees and academic administrators are generally classified as exempt and are paid monthly salaries. They are not entitled to overtime compensation. Other employees are generally classified as 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 Business Manager 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. Employees that separate after the last day of instruction will continue to receive paychecks through the end of the summer.

Paychecks

Employees are paid on the 15th of every month, unless the 15th falls on a weekend or holiday. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated. For questions regarding your pay, see the Business Manager.

Automatic Payroll Deposit

Employees can have their paychecks electronically deposited into a designated account. A notification period of ten business days is necessary to activate this service. Contact the Business Manager for more information about the automatic payroll deposit service.

Payroll Deductions

Policy CFEA

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

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

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life, and vision insurance; annuities; and higher education savings plans. Employees also may request payroll deduction for payment of membership dues to professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

Overtime Compensation

Policy DEA

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. 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 AM Sunday and ends at 11:59 PM 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 can accumulate up to 60 hours of comp time.
- Comp time must be used in the duty year that it is earned.
- Use of comp time may be at the employee's request with supervisor approval, as workload permits, or at the supervisor's direction.
- An employee may be required to use comp time before using available paid leave (e.g., sick, personal, vacation).
- Weekly time records will be maintained on all nonexempt employees for the purpose of wage and salary administration.
- Compensatory time shall be used within 60 workdays from when it is earned.

Salary Schedules

Salary schedules are available in the Office of Human Resources upon request.

Supplemental Pay

Supplemental pay may be approved for special programs or assignments within district guidelines during the regular school year. The district guidelines for receiving supplemental pay and the salary schedule for supplemental pay activities is available in the Office of Human Resources.

Summer Pay

Employees may be approved to work in summer programs outside of the normal duty period. All summer employees are paid on an hourly basis.

The summer salary schedule is available in the Office of Human Resources. Employees who are not normally eligible for benefits are likewise not eligible for benefits while working in summer programs.

Stipends

A stipend schedule is available in the Office of Human Resources for employees performing approved extra-duty activities.

Benefits

Health, Dental, and Life Insurance

Policy CRD

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

- Employees who are active, contributing TRS members
- Employees who are not contributing TRS members and who are regularly scheduled to work at least 10 hours per week

TRS retirees who are enrolled in TRS-Care (retiree health insurance program) and employees who are not contributing TRS members who are regularly scheduled to work less than 10 hours per week, are not eligible to participate in TRS-ActiveCare.

The insurance plan year is from September 1 through August 31. Current employees can make changes in their insurance coverage during open enrollment each spring. Detailed descriptions of insurance coverage, employee cost, and eligibility requirements are provided to all employees in a separate booklet. Employees should contact the business office for more information.

Supplemental Insurance Benefits

Policy CRD

At their own expense, employees may enroll in supplemental other insurance programs. Premiums for these programs can be paid by payroll deduction. Employees should contact the business office for more information.

Cafeteria Plan Benefits

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

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

Workers' Compensation Insurance

Policy CRE

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or are injured on the job. The district has workers' compensation coverage from Texas School Cooperative, 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 business office. 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 26 for information on use of paid leave for such absences.

Unemployment Compensation Insurance

Policy CRF

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the business 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 also eligible for TRS membership and to purchase a year of creditable service. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

Employees who plan to retire under TRS should notify the Business Manager 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.state.tx.us). See page 10 for information on restrictions of employment of retirees in Texas public schools.

Other Insurance coverage for payroll deduction

| | | |
|-----------------------|----------------|----------|
| Vision | Dental | Accident |
| Critical Illness Care | Disability | Cancer |
| Identification Theft | Life Insurance | |

Cafeteria Plan deductions are also available for Child Care and Health Reimbursement For More information contact Benefits at extension 1214.

Leaves and Absences

Policies DEC, DECA, DECB

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

In addition, MVISD provides four days of sick leave per year. These days may be used as earned.

Leave

Aesop

If an employee will be out for **any** reason they must put the absence into Aesop and the absence will be approved by the employee's supervisor. If it is past the time for Aesop to find a substitute, then the employee must call their supervisor.

Personal/Sick Leave

Policy DEC.

State law entitles all employees to five days of paid personal leave per year. Personal leave is earned on a daily accrual basis. A day of earned personal leave is equivalent to an assigned workday. State personal leave accumulates without limit, is transferable to other Texas school districts, and generally transfers to education service centers. There are two types of personal leave: 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 will be granted to employees in the same manner as state sick leave.

Discretionary. Leave taken at an employee's discretion that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor 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.

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 half 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.

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

Use of Leave.

Leave is available for the employee's use first day of work. However, state personal and local leave is earned on a daily accrual basis. If an employee leaves the district before the end of the work year, the cost of any unearned leave days taken shall be deducted from the employee's final paycheck.

Leave must be used in half day increments. However, if an employee is taking family and medical leave, leave shall be recorded in one-hour increments. Earned comp time must be used before any available paid state and local leave. Unless an employee requests a different order, available paid state and local leave will be used in the following order:

- State Personal Days
- Local Personal Days
- State Sick Leave

Employees must follow district and department or campus procedures to report an absence and complete the appropriate absence from duty in Aesop.

Annual Carryover of Leave Balance

At the end of each school year, any unused state sick leave and state personal leave is carried over to the next school year.

Local sick leave does not carry over.

Medical Certification.

Any employee who is absent more than five days because of a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and—in the case of personal illness—the employee's fitness to return to work.

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.

Continuation of Health Insurance.

Employees on an approved leave of absence other than family and medical leave may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the district as they were prior to the leave. Otherwise, the district does not pay any portion of insurance premiums for employees who are on unpaid leave.

Leave Balances after Resignation

If an employee resigns from MVISD, any unused state leave remains on the employee’s service record indefinitely and, if requested by the employee, will transfer with the employee to other public school districts in Texas. Any unused MVISD local sick leave will not transfer to other public school districts.

Sick Leave Bank

An eligible employee may participate in the MVISD sick leave bank. The sick leave bank provides additional sick leave for an employee who has exhausted all sick and personal leave, and has been determined to have a personal illness of a catastrophic nature. An employee must meet certain conditions to be eligible for participation. The employee must donate a sick day to the bank in order to request days from the bank.

Civic Leave

Civic leave may be granted for short periods to fulfill the requirements of a jury summons, court summons, and other mandatory governmental summons.

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 not responsible for purposes of criminal liability.

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

Adoptive Leave

An employee who is adopting children under six years of age may use up to 15 days of regular accumulated state leave and/or local sick leave (if available). Also, an employee may use additional days at a reduced rate of pay that is not deducted from any leave balances. The maximum total number of days for adoptive leave may not exceed 30 days.

Vacation

Twelve-month classified employees earn one vacation day per month not to exceed 10 days per school year (from July 1 to June 30).

Vacation earned in a school year must be used prior to winter break in the following school year.

Administrative and professional employees do not earn paid vacation days. "Vacation" days for these employees are actually unpaid non- contract days left over at the end of an employee's contract year. These days must be taken by the end of the contract year, they cannot accumulate and will not roll over.

A 12-month administrative or professional employee will typically have less than 10 non-contract days left over at the end of the contract year that will serve as vacation days.

Military Leave

Paid leave for military service: Any employee who is a member of the Texas National Guard, Texas State Guard, or reserve component of the armed forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders.

Paid military leave will not exceed 15 days per year. 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 ordered to active state military duty (Texas National Guard or Texas State Guard) may return to employment if they are honorably discharged. Employees who wish to return to the District will be reemployed in the position they would have held if employment had not been interrupted or reassigned to an equivalent or similar position provided they are still 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 to the Director of HR Services.

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

Leave Benefits Available at Reduced Pay

For extended sick leave and hardship leave (see below), the employee's pay is reduced by the cost of a substitute. Such reduction shall not exceed 50% of the employee's rate of pay.

Leave Benefits Available Without Pay

Professional Leave

One semester or one year of leave without pay may be granted to regular employees for the purpose of professional study subject to approval of the Superintendent or designee. Supporting documentation will be required. It is not permissible to conduct professional study activities during paid District work time unless other working arrangements have been designed and approved to fulfill all the job requirements, including time requirements.

Temporary Disability Leave

If all leave, including local sick, state personal leave and extended leave is exhausted, temporary disability leave without pay may be granted in the event that an employee has a medical condition that interferes with the performance of his/her regular duties. This may include, but is not limited to, pregnancy. The maximum length of temporary disability leave is 365 days.

Parenting Leave

An employee may be granted a leave of absence without pay for the purpose of rearing a child under six years of age. This leave shall not exceed one year. Employee shall notify the Leave Office of the District of the desire to return to active duty at least 30 days prior to the expected date of return. Subject and subsequent to notification of intent to return, the employee returning from parenting leave shall be placed in an assignment comparable to that held before taking parental leave. However, return to active duty is subject to the availability of an appropriate vacancy.

Paid Parenting Leave

Paid parenting leave shall be granted to a regular employee who has a child under one year of age in accordance with the following:

1. Up to 15 days of accumulated state leave and/or local sick leave may be used for this purpose;
2. Additional workdays may be granted with an amount deducted equal to the substitute's daily rate, except that the employee's rate of pay shall be reduced by no more than 50 percent; and
3. The number of workdays allowed for items 1 and 2 above shall not exceed 30.

An employee who has taken paid parenting leave shall not be permitted to take adoptive leave in the same school year.

Family and Medical Leave Act (FMLA)—General Provisions

Federal law requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. The District shall allow employees to choose to use family and medical leave concurrently with other types of leave

available in this policy. Regular employees are eligible if they have worked for MVISD for at least one year, and for 1,250 hours over the previous 12 months.

Family and medical leave may be granted for any of the following reasons:

- To care for the employee's child after birth or adoption, including placement for foster care (provided that such leave is taken within 12 months of the event); or
- 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.
- For military caregiver purposes.

This leave allows an eligible employee to continue receiving insurance benefits normally paid by MVISD for up to 12 weeks (provided that the employee returns to work in MVISD).

The District may recover its share of health care premiums paid during a period of FMLA leave if an employee fails to return to work after his or her FMLA leave entitlement has been exhausted or expires, unless one of the following exists:

- The continuation, recurrence, or onset of a serious health condition that entitles the employee to leave under FMLA; or
- Other circumstances beyond the employee's control.

When an employee fails to return to work, except for the reasons stated above, health premiums paid by the District during a period of FMLA leave are a debt owed the District by the non-returning employee, and may be recovered by the District through deduction of any sums due the employee or through legal action.

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

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

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

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

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. It also includes a family member who is a veteran with an illness or injury that occurs in the line of duty while on active duty and manifests itself before or after the servicemember became a veteran. The veteran must have been on active duty during the five years preceding the need for treatment, recuperation, or therapy.

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

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

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 FMLA 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

Employment Status Upon Returning From Leave

An employee who is returning from an approved leave of absence will be placed in the original position that was vacated at the beginning of the leave event or in an equivalent position.

The base rate of pay and number of paid duty days for an equivalent position must be no less

than the base rate of pay and number of paid duty days for the original position occupied at the beginning of the leave event. It must also be a position for which the employee is qualified.

This provision in no way limits the right of the Superintendent or designee to reassign any employee into any position for which the employee is qualified, based on the needs of the district, after the employee returns from leave to the employee's original or equivalent position.

Workers' Compensation

Mount Vernon ISD provides insurance coverage to all district employees who sustain an illness or injury within the course and scope of their employment. If an illness/injury occurs report it to the department supervisor or school principal without delay and seek medical attention as necessary. Failure to promptly report a work-related illness or injury as required by the Texas Division of Workers' Compensation (DWC) may delay benefits or result in denial of the claim. Every illness/injury must be reported to the MVISD Risk Management Department to file a claim and receive WC benefits. An employee can obtain additional information concerning state guidelines and your Workers' Compensation rights by calling DWC at 512-933-1899 (or 1-800-252-7031 outside of the Mount Vernon area). This service is free.

Workers' Compensation Benefits

An employee who misses duty time as a result of a work related illness or injury may be eligible for workers' compensation income benefits depending upon the duration of the absence.

An employee missing time due to a job-related illness or injury may choose to utilize personal sick or other paid leave in lieu of WC wage benefits. If this option is selected workers' compensation wage benefits will commence only after the designated available leave has been utilized. If personal leave is not elected then an employee will only receive the wage benefits provided under workers' compensation. There are advantages and disadvantages to using either personal leave or WC wage benefits. The Workers' Compensation Reporting Packet provided to an employee when reporting an illness/injury contains details about each of the Leave options. All affected employees are encouraged to carefully review this information before making this important selection. Questions should be directed to the Risk Management department.

Termination of Employment

Resignations

Policy DFE

Contract Employees. Contract employees may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the superintendent. Contract employees may resign at any other time only with the approval of the superintendent or the board of trustees. Resignation without 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 *Reports to the State Board for Educator Certification* on page 32.

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

Termination or Non-Renewal

Termination: Noncontract Employees

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 31.)

The recommendation to the Board and its decision not to renew a contract under this policy shall not be based on an employee's exercise of Constitutional rights or based unlawfully on an employee's race, color, religion, sex, national origin, disability, or age, and will comply with all due process requirements in the law. Reasons for proposed non-renewal of an employee's term contract shall be:

1. Deficiencies pointed out in observation reports, appraisals or evaluations, supplemental memoranda, or other communications.
2. Failure to fulfill duties or responsibilities.
3. Incompetence or inefficiency in the performance of duties.

4. Inability to maintain discipline in any situation in which the employee is responsible for the oversight and supervision of students.
5. Insubordination or failure to comply with official directives.
6. Failure to comply with Board policies or administrative regulations.
7. Excessive absences.
8. Conducting personal business during school hours when it results in neglect of duties.
9. Reduction in force because of financial exigency.
10. Reduction in force because of a program change.
11. A decision by the campus intervention team that the employee not be retained at a reconstituted campus. See AIC at this link:
12. The employee is not retained at a campus that has been repurposed in accordance with law.
13. Drunkenness or excessive use of alcoholic beverages; or possession, use, or being under the influence of alcohol or alcoholic beverages while on school property, while working in the scope of the employee's duties, or while attending any school-or District-sponsored activity.
14. The illegal possession, use, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogens, or other substances regulated by state statutes.
15. Use of a computer, school mail, or any other means of communication in a manner that is harassing, offensive, or disruptive to the school operations.
16. Failure to meet the District's standards of professional conduct.
17. Failure to report any arrest, indictment, conviction, no contest or guilty plea, or other adjudication for any felony, any crime involving moral turpitude, or other offense
18. Conviction of or deferred adjudication for any felony, any crime involving moral turpitude, or other offense Go to this link and select
19. ; or conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony
20. Misappropriation of public funds.
21. Theft of District property.
22. Failure to comply with reasonable District requirements regarding advanced coursework or professional improvement and growth.
23. Disability, not otherwise protected by law, which prevents the employee from performing the essential functions of the job.
24. Any activity, school-connected or otherwise, that, because of publicity given it, or knowledge of it among students, faculty, and community, impairs or diminishes the employee's effectiveness in the District.
25. Any breach by the employee of an employment contract or any reason specified in the employee's employment contract.
26. Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community or colleagues.
27. A significant lack of student progress attributed to the educator.
28. Behavior that presents a danger of physical harm to a student or to other individuals.
29. Assault on a person on school property or a school-related function, or on an employee, student, or student's parent regardless of time or place.
30. Use of profanity in the course of performing any duties of employment, whether on or off school premises, in the presence of students, staff, or members of the public, if

- reasonably characterized as unprofessional.
31. Falsification of records or other documents related to the District's activities.
 32. Falsification or omission of required information on an employment application.
 33. Misrepresentation of facts to a supervisor or other District official in the conduct of District business.
 34. Failure to fulfill requirements for certification, including passing certification examinations required by state law for the employee's assignment.
 35. Failure to achieve or maintain "highly qualified" status as required by the employee's assignment.
 36. Failure to fulfill the requirements of a deficiency plan under an Emergency Permit, a Special Assignment Permit, or a Temporary Classroom Assignment Permit.
 37. Abandonment of contract with the District.
 38. Any attempt to encourage or coerce a child to withhold information from the child's parent or from other District personnel.
 39. The solicitation, encouragement, insinuation, or consummation of an inappropriate written, verbal, or physical relationship with a student.
 40. Violation of the privacy rights of students under the federal Family Educational Rights and Privacy Acts (FERPA).
 41. Any reason that makes the employment relationship void or voidable, such as violation of federal, state, or local law.
 42. Any reason constituting good cause for terminating the contract during its term.

Notice and Hearing

When a term contract employee is proposed for nonrenewal at the end of the contract term, he/she will receive notice from the Board of the proposed action. If the employee desires a hearing after receiving notice from the Board of the proposed nonrenewal, the employee shall notify the Board in writing not later than the 15th day after the date the employee receives written notice of the proposed action.

When a timely request is received by the Board President, the hearing shall be held not later than the 15th day after receipt of the request, unless the parties mutually agree to a delay. The hearing process provides for the employee and administration to be represented by a representative of his/her choice, to present evidence and hear the evidence on which the charges are based or refuted, and cross-examine each other's witnesses. A record of the hearing is made. After all evidence has been presented, the Board will make its decision and notify the employee by providing written notice not later than the 15th day after the date on which the hearing is concluded.

Termination: Professional (Contract) Employees

Any professional employee, whether employed under a probationary contract or under a term contract, may be discharged during the contract term by the Board. The recommendation to the Board and its decision to terminate a contract under Policy DFBA see DFBA shall not be based on an employee's exercise of Constitutional rights or based unlawfully on an employee's race, color, religion, sex, national origin, disability, or age, and will comply with all due process requirements in the law. Reasons for proposed termination of an employee's term contract shall be:

1. Deficiencies pointed out in observation reports, appraisals or evaluations, supplemental memoranda, or other communications.
2. Failure to fulfill duties or responsibilities.
3. Incompetence or inefficiency in the performance of duties.
4. Inability to maintain discipline in any situation in which the employee is responsible for the oversight and supervision of students.
5. Insubordination or failure to comply with official directives.
6. Failure to comply with Board policies or administrative regulations.
7. Excessive absences.
8. Conducting personal business during school hours when it results in neglect of duties.
9. Reduction in force because of financial exigency or program change
10. A decision by a campus intervention team under Education Code 39.1324 that the employee not be retained at a reconstituted campus.
11. Drunkenness or excessive use of alcoholic beverages; or possession, use, or being under the influence of alcohol or alcoholic beverages while on school property, while working in the scope of the employee's duties, or while attending any school or District-sponsored activity.
12. The illegal possession, use, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogens, or other substances regulated by state statutes.
13. Use of a computer, school mail, or any other means of communication in a manner that is harassing, offensive, or disruptive to the school operations.
14. Failure to meet the District's standards of professional conduct.
15. Failure to report any arrest, indictment, conviction, no contest or guilty plea, or other adjudication for any felony, any crime involving moral turpitude, or other offense listed.
16. Conviction of or deferred adjudication for any felony, any crime involving moral turpitude, or other offense listed. Go to this link and select; and conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony.
17. Misappropriation of public funds.
18. Theft of District property.
19. Failure to comply with reasonable District requirements regarding advanced coursework or professional improvements and growth.
20. Disability, not otherwise protected by law, which prevents the employee from performing the essential functions of the job.
21. Any activity, school-connected or otherwise, that, because of publicity given it, or knowledge of it among students, faculty, and community, impairs or diminishes the employee's effectiveness in the District.
22. Any breach by the employee of an employment contract or any reason specified in the employee's employment contract.
23. Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community, or colleagues.
24. A significant lack of student progress attributable to the educator.
25. Behavior that presents a danger of physical harm to a student or to other individuals.
26. Assault on a person on school property or a school-related function, or on an employee, student, or student's parent regardless of time or place.
27. Use of profanity in the course of performing any duties of employment, whether on or off

- school premises, in the presence of students, staff, or members of the public, if reasonably characterized as unprofessional.
28. Falsification of records or other documents related to the District's activities.
 29. Falsification or omission of required information on an employment application.
 30. Misrepresentation of facts to a supervisor or other District official in the conduct of District business.
 31. Failure to fulfill requirements for certification, including passing certification examinations required by state law for the employee's assignment.
 32. Failure to achieve or maintain "highly qualified" status as required for the employee's assignment.
 33. Failure to fulfill the requirements of a deficiency plan under an Emergency Permit, a Special Assignment Permit, or a Temporary Classroom Assignment Permit.
 34. Abandonment of contract with the District.
 35. Any attempt to encourage or coerce a child to withhold information from the child's parent or from other District personnel.
 36. The solicitation, encouragement, insinuation, or consummation of an inappropriate written, verbal, or physical relationship with a student.
 37. Violation of the privacy rights of students under the federal Family Educational Rights and Privacy Acts (FERPA).
 38. Any reason that makes the employment relationship void or voidable, such as violation of federal, state or local law.
 39. Any reason constituting good cause for terminating the contract during its term.

Notice and Hearing

When an employee is proposed for termination during the contract term, he/she will receive notice from the Board of the proposed action. If the employee requests a hearing on the proposed termination, he/she must do so by filing a written request for a hearing with the commissioner of education not later than the 15th day after the date the employee receives written notice of the proposed action. The employee must provide the district with a copy of the request and must provide the commissioner with a copy of the notice. The hearing process provides for the employee to be represented by a representative of his/her choice, to hear the evidence on which the charges are based, to cross-examine each adverse witness, and to present evidence. Education Code 21.251(a) (1)-(3); 21.253(a); 21.256(c) (1)-(4).

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, religion, sex, national origin, disability, military status, any other basis protected by law, or in retaliation for the exercise of certain protected rights.

The District practices a progressive disciplinary approach to performance problems of at-will employees in order to allow employees the opportunity to improve. However, sometimes after repeated efforts to work with an employee or after an egregious or unlawful incident, a supervisor will recommend termination of the at-will employee.

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 State Board for Educator Certification

Policy DF

The dismissal or resignation of a certified employee will be reported to SBEC when the Superintendent first learns about an alleged incident of conduct that involves the following:

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

Abandonment of Job

Professional Employees

The supervisor shall notify the Supervisor of Employee Relations when a professional employee has failed to report to work for two consecutive days. The Supervisor of Employee Relations will work with the supervisor to notify the employee that he/she is at risk for termination due to abandonment of job. The employee will be directed to immediately report for work or contact the supervisor or Employee Relations. Failure to immediately comply with this directive will result in a recommendation from the Superintendent to the Board for termination during a contract based on abandonment of job and according to Board Policy.

Classified Employees

A classified employee's employment status shall be terminated when the employee fails to report to work for a period of three (3) consecutive working days and notification was not given to the employee's immediate supervisor during such absence, except when it is determined that the circumstances of such absence were justified and precluded giving notification.

Employee Relations and Communications

Employee Recognition and Appreciation

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

District Communications

Throughout the school year, the campus office publishes newsletters, brochures, fliers, calendars, news releases, and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements.

Complaints and Grievances

Policy DGBA

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

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

Employee Grievances

A grievance is a formal complaint filed by an employee. A grievance under Policy DGBA (LOCAL) may include, but shall not be limited to, any of the following: wages, hours, or conditions of work; specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age or disability; specific allegations of unlawful discrimination or retaliation on the basis of the employee's exercise of constitutional rights; and "Whistleblower" complaints.

The purpose of the policy is to provide employees an orderly process to present grievances and possibly resolve them. The Board intends that, where feasible, grievances should be resolved at the lowest possible administrative level. Employees are encouraged first to discuss any concerns with their supervisor to see if agreement or an acceptable resolution can be reached.

Grievances should be presented in writing on the MVISD grievance form and signed by the person filing the grievance. The grievance should state both the specific facts pertaining to the grievance and the relief being requested by the grievant. The initial Level One grievance must be filed with the principal or immediate supervisor within 15 workdays of the date the employee knew, or should have known, of the event causing the grievance. Grievance timelines are available.

If the issues of the grievance are not resolved at Level One, the employee has a right to continue with the next level of the grievance process. Grievances may not be amended to add new allegations or concerns after the initial grievance has been filed.

The principal of each campus and other supervisory personnel shall ensure that employees under their supervision are informed of this policy. Neither the Board nor the administration shall unlawfully retaliate against any employee for bringing a grievance under this policy.

GRIEVANCE PROCESS DGBA (LOCAL)

Personnel – Management Relations

Employee Complaint/Grievances

Employee Conduct and Welfare

Standards of Conduct

Policy DH

Employees, as well as students and volunteers who work in MVISD, are expected to maintain high standards of conduct and behavior.

A core value of the Mount Vernon Independent School District is respect for the individual. It is a goal of the district to foster and model this core value. MVISD believes that a valuable element of education is the development of respect for all individuals, regardless of race, color, creed, national origin, age, gender, sexual orientation, disability, or other personal attributes.

This policy establishes a district-wide code of conduct intended to provide a safe educational and work environment. No person shall engage in any verbal or physical conduct that would tend to cause disruption of the educational setting, school activity, or work environment, or would harass, threaten, attack, injure, or intimidate any other person.

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. When an employee's performance presents a concern, the supervisor is expected to provide corrective feedback and take disciplinary action as appropriate. Corrective actions should be designed to inform the employee of a problem and allow opportunity for the employee to demonstrate improvement. Actions include, but are not limited to, verbal warnings, written warnings, memoranda of concern, corrective discipline forms (if applicable), written directives and formal written

evaluations or PDAS appraisals.

Disciplinary action, including the immediate physical removal of an employee from his or her work site, will follow thoughtful consideration of an employee's violation or misbehavior and its impact on the School/District. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day after the superintendent first learns of the incident. Other incidents requiring reporting include:

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

Criminal History

Mount Vernon ISD will conduct background and criminal history checks in compliance with Senate Bill 9 prior to employment and reserves the right to randomly request criminal history reports throughout the employment period. All employees certified through the State Board for Educator Certification (SBEC) must have a national background check, regardless of hire date, effective January 1, 2008. All non-certified employees with a hire date of January 1, 2008, or after must have a national background check prior to employment.

Title 19 of the Texas Administrative Code, Section 249.14 requires school districts to notify SBEC of any reported criminal history of a school district or employee who holds a Texas Teacher Certificate or Texas Educational Aide Certificate. A reported criminal history includes arrests, indictments, prosecutions, convictions, or other dispositions (such as probation, or deferred adjudication) by the criminal justice system.

Courtesy

Employees shall be courteous to one another and the public, working together in a cooperative spirit to serve the best interests of the students. All District employees shall be expected to adhere to the District's "Standards of Customer Service" and the standards of conduct set out in the "Code of Ethics and Standard Practices for Texas Educators" below:

Standards of Customer Service

The Mount Vernon School District believes that a major component of ensuring high student achievement is establishing a school-learning environment in which visitors feel welcomed and valued. When you—as a parent, visitor, school partner, or employee—interact with an MVISD

staff member, you can expect our very best in:

Courtesy and Respect

- All customers will be treated with respect and dignity, regardless of cultural or ethnic identities.
- Each staff member will be courteous during all customer interactions.
- Each staff member will maintain the customer's confidentiality and privacy.
- Each staff member will communicate from a positive perspective.

Communication

- Each staff member will acknowledge and greet customers upon their entrance into district facilities. If necessary, ask him or her to wait until you are done with the customer you are currently working with.
- Each staff member will answer the telephone within three rings, and in a friendly and helpful manner, using the name of the facility and the staff member's name. For example, "Mount Vernon Elementary. This is Mary Smith. How may I help you?"
- Each staff member will ensure that information provided to customers is accurate and consistent, even if it requires a call back.
- Each staff member will utilize active listening techniques in all customer interactions.
- When a staff member is out of the office for more than one business day, voicemail and email features will be used to provide information regarding their return and message options for the customer.

Responsiveness

- Each staff member will personally assume the responsibility of assisting the customer or directing the customer to the appropriate person.
- Responses will be timely. Each staff member will return phone calls and emails within two business days. If a response cannot be provided in the allotted time, the customer will be notified and given an estimated time of response.
- If the staff member notices that the customer speaks a language other than English, a bilingual staff member will be located and asked to assist the customer.

Environment

- Each staff member is responsible for creating an inviting, family-friendly environment in all district facilities.
- Staff members should wear their identification badges at all times.
- All facilities will be easy to navigate and signage will be visible and understandable.
- All facilities will post their office hours.
- All signage will be written in a positive manner or tone.
- All communications will be updated regularly.

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

Statement of Purpose

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty 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))

Professional 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 make threats of violence against school district employees, school board members, students, or parents of students.

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

Standard 1.11 The educator shall not intentionally 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 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.

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

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

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

- (i) the nature, purpose, timing, and amount of the communication;
- (ii) the subject matter of the communication;
- (iii) whether the communication was made openly or the educator attempted to conceal the communication;
- (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) whether the communication was sexually explicit; and
- (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

Professional Dress

Acceptable Dress Guidelines

Neatness in appearance models an example that is consistent with a first-class instructional program. The appearance of a competent, well-dressed professional educator will not be a distraction to learning and will command respect for the job we do. Teachers should dress conservatively and in good professional taste.

- Dresses, skirts and slacks are appropriate for female teachers
- Slacks/ “Dockers” and a “Polo” or dress shirt are appropriate for male teachers.
- All clothing including the length of skirts and neckline must comply with student’s dress code.
- Jeans may be worn only on Friday in conjunction with a “spirit” shirt or on other special days designated by the Superintendent.

Unacceptable Dress Guidelines

- Shorts should never be worn in the building. Shorts are allowed in athletics, PE, but wind pants should be put on when entering the building

- Blue jeans, jogging suits or wind suits should not be worn in regular classroom unless approved by the building principal
- Clothes that are tight or revealing should not be worn
- Tattoos may not be visible
- No facial, mouth, or body jewelry of any type is allowed, except in women's ears with a maximum of two earrings per ear

The building principal has the final authority on all matters of professional dress.

Arrests and Convictions

An employee must notify the Director of Human Resources within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, any offense involving moral turpitude, and any of the other offenses listed below:

- Crimes involving school property 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 of school property or at a school-sponsored activity.
- Crimes involving moral turpitude.

Moral turpitude includes but is not limited to dishonesty; fraud; deceit; theft; misrepresentation; deliberate violence; base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor; drug- or alcohol-related offenses; or acts constituting abuse under the Texas Family Code.

Discrimination, Harassment, and Retaliation

Policies DH, DIA

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

Employees who believe they have been discriminated or retaliated against or harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate district official. If the campus principal, supervisor, or district official is the subject of a complaint, the employee should report the complaint directly to the superintendent. A complaint against the superintendent may be made directly to the board.

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

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

Employees who believe they have been harassed are encouraged to promptly report such incidents to the campus principal, supervisor, or appropriate District official. If the campus principal or supervisor is the subject of a complaint, the employee shall report the complaint directly to the superintendent.

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

The District prohibits sexual harassment and harassment based on a person's race, color, gender, national origin, disability, religion, or age.

Employees shall not tolerate harassment of others and shall make reports as required using the reporting procedures below.

Sexual harassment of an employee is 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, but are not limited to, sexual advances, touching intimate body parts; coercing or forcing a sexual act on another; a series or pattern of jokes or conversations of a sexual nature; or other sexually motivated conduct, communication, or contact that creates a hostile work environment.

Harassment of a District employee on the basis of the employee's race, color, gender, national origin, disability, religion, or age includes physical, verbal, or non-verbal conduct related to these characteristics 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 opportunities.

Examples of prohibited harassment may include, but are not limited to, offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, 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 negative stereotypes; or other types of aggressive conduct such as theft or damage to property.

An employee who believes that he or she has experienced prohibited harassment should immediately report the alleged acts to an appropriate person designated below.

Any District employee with supervisory authority who receives notice that another employee has or may have experienced prohibited harassment is required to immediately report the alleged acts and take whatever other steps are required by this policy.

Any other person who knows or believes that a District employee has experienced harassment should immediately report the alleged acts to the appropriate person designated by this policy.

Reporting Harassment

Reports of harassment shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment.

A District employee may report harassment to his or her supervisor or campus principal. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting harassment directly to Superintendent or the Human Resource Director.

A report against the Title IX coordinator may be made directly to the Superintendent; a report against the Superintendent may be made directly to the Board.

Upon receipt of a report of harassment, a supervisor or principal shall immediately notify the appropriate District official listed above.

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.

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 of notification of a report, the District official shall determine whether the allegations, if proven, would constitute sexual harassment or other prohibited harassment as defined by District policy. If so, the District official shall immediately authorize or undertake an

investigation.

If appropriate, the District shall promptly take interim action to prevent harassment 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.

The District's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending.

Absent extenuating circumstances, the investigation should be completed within ten 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 harassment occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the harassment.

The District may take disciplinary action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of harassment prohibited by law or District policy.

Appeal

A complainant who is dissatisfied with the outcome of the investigation may appeal beginning at the appropriate level.

The complainant shall be informed of his or her right to file a complaint with the Texas Workforce Commission Civil Rights Division, the Equal Employment Opportunity Commission, or the United States Department of Education Office for Civil Rights.

Retaliation Prohibited

Retaliation against an employee alleged to have experienced harassment, a witness, or another person who makes a report or participates in an investigation is strictly prohibited. A person who makes a good faith report of prohibited harassment shall not suffer retaliation for making the

report. A person who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding prohibited harassment is subject to appropriate discipline.

Harassment of Students
Policies *DH, FFG, FFH*

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Romantic or inappropriate social relationships between students and district employees are prohibited. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate District official. All allegations of prohibited harassment or abuse of a student will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law.

The District's policy that includes definitions and procedures for reporting and investigating harassment of students is reprinted below: [Policy FFH](#)

The District prohibits sexual harassment, dating violence, and harassment based on a person's race, color, gender, sexual orientation, national origin, disability, or religion.

Employees shall not tolerate harassment of students and shall make reports as required at REPORTING PROCEDURES, below.

Sexual Harassment by an Employee

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

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

Romantic or inappropriate social relationships between students and District employees are prohibited. Any educator engaged in an inappropriate relationship with a student is subject to criminal prosecution.

Sexual Harassment by Others

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

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

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.

Examples of sexual harassment of a student may include, but are not limited to, 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.

Dating Violence by Students

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 patterns of behavior intended to hurt or control a partner in a dating relationship include, but are not limited to, 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 victim ends the relationship, attempts to isolate the student from friends and family, extreme jealousy and possessive behavior, stalking or having others do these things.

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.

Other Prohibited Harassment

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, gender, sexual orientation, national origin, disability, or religion 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.

Examples of prohibited harassment may include, but are not limited to, 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.

Reporting Procedures

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

Any District employee who receives notice that a student has or may have experienced prohibited harassment is required to immediately report the alleged acts to an appropriate person designated below.

Reports of known or suspected child abuse or neglect shall be made as required by law.

Reports of harassment shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment.

Oral or written reports of prohibited harassment shall normally be made to the campus principal. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting harassment directly to the Director of Human Resources or the Superintendent.

Suspected Child 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 suspected abuse or neglect to law enforcement or to Child Protective Services. Additionally, any District employee, agent, or contractor has an additional legal obligation to submit the oral or written report of suspected child abuse or neglect within 48 hours of learning the facts giving rise to the suspicion. Reporting your suspicion to a

school counselor, principal or another staff member does not satisfy your responsibility under the Texas Family Code. Therefore, you may not delegate this duty to report to another coworker or employee, but certainly you may ask for assistance in making the report. While the District cannot require you to report your suspicion first to a school administrator, you are encouraged to inform your principal or supervisor after the report is made so that steps may be taken to ensure your safety and the safety of the child while awaiting intervention from the Child Protective Services or law enforcement investigator.

Confidentiality of Report: Good Faith Reporting

State law requires that the identity of the person making the report of suspected child abuse or neglect be kept confidential. A person who in good faith makes a report or assists in the investigation of reported child abuse or neglect is immune from civil or criminal liability. Failing to report, however, is a Class B misdemeanor under Texas law. An employee is required to cooperate fully and not interfere with an investigation of reported child abuse or neglect.

Parent Refusal to Administer Drug as Sole Basis for Report Not Allowed

An employee may not use or threaten to use a parent's refusal to consent to administration of psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal presents a substantial risk of death, disfigurement or bodily injury to the child or the refusal has resulted in an observable and material impairment to the growth, development or functioning of the child.

Reporting the Abuse or Neglect

If the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child (including school employees), the report must be made to Child Protective Services at 1-800-252-5400 or on the Web at: http://www.dfps.state.tx.us/Contact_Us/report_abuse.asp.

All other reports of suspected abuse or neglect not involving a person with the care, custody or welfare of the child can be made to Child Protective Services or a law enforcement agency:
Mount Vernon ISD Police Department
Franklin County CPS Office

Report of Drug Offenses

A district employee is not liable in civil damages for reporting a student suspected of using, passing or selling on school property any of the following substances:

- Marijuana or a controlled substance as defined by the Texas Controlled Substance Act.
- A dangerous drug, as defined by the Texas Dangerous Drug law.
- An abusable glue or aerosol paint as defined by the Texas Control Substance Act, or a volatile chemical, if the substance is used or sold for the purpose of inhaling its fumes or vapors.
- An alcoholic beverage as defined by the Alcoholic Beverage Code.

Dietary Supplements

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 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.

Copyrighted Materials **Policy *EFE***

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.). Rented videotapes are to be used in the classroom for educational purposes only. Duplication or backups of computer programs and data must be made within the provisions of the purchase agreement.

Child Sexual Abuse

The district has established a plan for addressing child sexual abuse, which may be accessed at campus counselor's office. As an employee, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility under state law for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

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

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

Reports to Child Protective Services can be made to the Texas Abuse Hotline (800-252-5400). State law specifies that an employee may not delegate to or rely on another person to make the report.

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

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

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

Technology Resources

The district's technology resources, including its network access to the Internet, 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 computer or network resources
- Has no adverse effect on job performance or on a student's academic performance

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

Employees who are authorized to use the system are required to abide by the provisions of the acceptable use policy and administrative procedures. Failure to do so can result in suspension of access or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management can contact Woodrow Thomas, Director of Technology.

Personal Use of Electronic Media

Policy DH

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

As role models for the district's students, employees are responsible for their public conduct even when they are not acting as district employees. Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment. If an employee wishes to use a social network site or similar media for personal purposes, the employee is responsible for the content on the employee's page, including content added by the employee, the employee's friends, or members of the public who can access the employee's page, and for Web links on the employee's page. The employee is also responsible for maintaining privacy settings appropriate to the content.

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

- The employee may not set up or update the employee's personal social network page(s) using the district's computers, network, or equipment.
- The employee shall not use the district's logo or other copyrighted material of the district without express, written consent.

- The employee continues to be subject to applicable state and federal laws, local policies, administrative regulations, and the Code of Ethics and Standard Practices for Texas Educators, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, 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 Confidentiality of district records, including educator evaluations and private e-mail addresses.
 - Copyright law Prohibition against harming others by knowingly making false statements about a colleague or the school system.
- 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), electronic forums (chat rooms), video-sharing Web sites (e.g., YouTube), editorial comments posted on the Internet, and social network sites (e.g., Facebook, MySpace, Twitter, LinkedIn). *Electronic media* also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.
- *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 11:00 p.m. and 6:00 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 [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.

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 of school property or at a school-sponsored activity
- Crimes involving moral turpitude

Moral turpitude includes the following:

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

Alcohol and Drugs

MVISD is committed to maintaining an alcohol and drug-free environment and will not tolerate the use of alcohol and illegal drugs in the work place 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 during working hours may be dismissed.

More specifically, employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at

school or at school-related activities during or outside of usual working hours:

- 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.
- Alcohol or any alcoholic beverage.
- Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
- 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 uses a drug authorized by a licensed physician through a prescription specifically for that employee’s use shall not be considered to have violated this policy.

Drug-Free Workplace Requirements

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace. 41 U.S.C. 702(a) (1) (A); 28 TAC 169.2

Searches and Alcohol and Drug Testing

Policy DHE

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

Alcohol and Drug-Abuse Prevention

Policies DH, DI

MOUNT VERNON 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:

[DH\(LOCAL\) EMPLOYEE STANDARDS OF CONDUCT](#)

[DI\(XHIBIT\) DRUG-FREE WORKPLACE NOTICE](#)

Tobacco Use

Policies DH, FNCD GKA

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

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), 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 the School Nurse by first instructional day of school.

The District shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the District's policy of maintaining a drug-free work-

place, any available drug counseling, rehabilitation, and employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations. 41 U.S.C. 702(a) (1) (B); 28 TAC

Fraud and Financial Impropriety

Policy CAA

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district
- Destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the district

Conflict of Interest

Policy DBD

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

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

Gifts and Favors

Policy DBD

Employees may not accept gifts or favors that could influence, or be construed to influence, the employee's discharge of assigned duties. The acceptance of a gift, favor, or service by an

administrator or teacher that might reasonably tend to influence the selection of textbooks, 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 EFE

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 are to be used in the classroom for educational purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

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.

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 Dana Reeves, School Resource Officer.

Visitors in the Workplace

Policy GKC

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

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 Director of Student Services office and is available for inspection during normal business hours.

Pest Control Treatment

Policies CLB, DI

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

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

ACCEPTABLE USE POLICY

MVISD Technology Responsible Use for Employees

You are being given access to Mt Vernon ISD's network and technology resources. At Mt Vernon ISD, we use the network and technology resources as one way of enhancing the mission to teach the skills, knowledge, and behaviors students will need to succeed in the global community. These technologies may include, but are not limited to, district-provided equipment as well as other devices (computers, tablets, cell phones, laptops, netbooks, E-readers, and more).

As a MVISD employee, you are expected to help students use new technologies in a meaningful, safe, and responsible way. Furthermore, as a user of the district's network and technology resources, you are expected to use the system with courtesy, respect, and integrity.

I will use technology in a meaningful, safe, and responsible way.

- I will abide by the Acceptable Use Policy provided in the student and employee handbooks.
- I understand that I represent the school district in all my online activities. Additionally, I understand that what I do on social networking websites should not reflect negatively on students, teachers, or on the District.
- I will use technology resources productively, appropriately, and primarily for school-related purposes (see board policy CQ Local). I will avoid using any technology resource in such a way that would disrupt the activities of other users.
- I will use authorized email and other means of communications (e.g. blogs, wikis, podcasting, chat, instant-messaging, discussion boards, virtual learning environments, etc.) responsibly.
- I will not use District resources for political advertising, lobbying, or campaigning.
- I will not use District resources for the promotion of commercial goods or services for *personal* gain.
- I understand that all district equipment, the district network, and my district account are property of MVISD and can be monitored.
- I will conserve District resources through the proper use of printers, server space, video or audio streaming, and network bandwidth.
- I understand that District administrators will deem what conduct is inappropriate use if such conduct is not specified in this agreement.

I will use technology in accordance with the laws of the United States and the State of Texas:

- Criminal acts –These include, but are not limited to, "hacking" or attempting to access computer systems without authorization, harassing email, cyberbullying, cyberstalking, child pornography, vandalism, and/or unauthorized tampering with computer systems.
- Libel laws - Publicly defaming people through the published material on the Internet, email, etc.
- Copyright violations - Copying, selling or distributing copyrighted material without the express written permission of the author or publisher (users should assume that all materials available on the Internet are protected by copyright), engaging in plagiarism (using other's words or ideas as your own).

I understand and will abide by the above Responsible Use Principles. Should I commit a violation, I understand that consequences of my actions could include suspension of computer privileges, disciplinary action, and/or referral to law enforcement.

I also certify that I will abide by the Child Internet Protection Act (CIPA) that states that I will monitor my students when they are online and I will insure that all of my students receive training in Internet Safety and Cyberbullying.

General Procedures

Bad Weather Closing

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

KWNS 104.5, KLAKE 97.7, STAR COUNTRY 96.9,
KSST 1230 AM, WBAP 820 AM, KLTV Channel 7

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 accounting 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 a PO number. The district will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the district's business office. Contact Business Manager for additional information on purchasing procedures.

Name and Address Changes

It is important that employment records be kept up to date. Employees must notify the business office if there are any changes or corrections to their name, home address, contact telephone number, marital status, emergency contact, or beneficiary. The form to process a change in personal information can be obtained from Business Manager.

Building Use

Policies DGA, GKD

Employees who wish to use district facilities after school hours must follow established procedures. David Rains, Director of Student Services is responsible for scheduling the use of facilities after school hours and to obtain information on the fees charged.

Reports Concerning Court-Ordered Withholding

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

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

Student Issues

Equal Educational Opportunities

Policies FB, FFH

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

Questions or concerns about discrimination against students based on sex, including sexual harassment should be directed to the Superintendent, the district Title IX coordinator. Questions or concerns about discrimination on the basis of a disability should be directed to the Director of Operations, 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 (if 18 or older or emancipated by a court)
- School officials with legitimate educational interests

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

Parent and Student Complaints

Policy FNG

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

Parents are encouraged to discuss problems or complaints with the 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

Only designated employees can administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. A student who must take medication during the school day must bring a written request from his or her parent and the medicine in its original, properly labeled container. Contact the principal or school nurse for information on procedures that must be followed when administering medication to students.

Dietary Supplements

Policies DH, FFAC

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

Psychotropic Drugs

Policy FFAC

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

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

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

Student Conduct and Discipline

Policies in the FN series and FO series

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

Student Attendance

Policy FEB

Teachers and staff should be familiar with the district’s policies and procedures for attendance accounting. These procedures require minor students to have parental consent before they are allowed to leave campus. When absent from school, the student upon returning to school, must bring a note signed by the parent that describes the reason for the absence. These requirements are addressed in campus training and in the student handbook. Contact the campus principal for additional information.

Bullying

Policy FFI

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

[FFI\(LOCAL\) Bullying](#)

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.