

*Hamlin Independent School District*

*Employee Handbook*

2009 -2010



## Changes to 2009-2010 Handbook

- 1) Equal Employment Opportunity—added nondiscrimination on the basis of genetic information to the list of protected categories—page 10
- 2) Travel Expense Reimbursement—second paragraph, added last sentence: At this time your hotel/meal receipts...--page 16
- 3) Leaves and Absences—added new policy codes—DECA and DECB—page 19
- 4) Personal Leave—Nondiscretionary—edited first sentence to clarify that an emergency is a “family” emergency—page 20
- 5) Sick leave—added the term “state” to the text in the first and second paragraphs to clarify that the description provided refers to state, rather than local, sick leave—page 20
- 6) Extended sick leave—second paragraph—amount of pay deducted has changed—page 21
- 7) Local Personal Leave—last paragraph—added last sentence: If no leave is selected on absence from duty form...--page 21
- 8) Family and Medical Leave—revised entire section to reflect change in DEC(LOCAL)—page 22
- 9) Temporary disability leave—added third sentence in first paragraph to clarify that temporary disability leave must be taken in one continuous block of time, and not intermittently or on a reduced schedule. Added second sentence to second paragraph describing the process for requesting temporary disability leave—page 25

## **Introduction**

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all district policies and procedures are included. Those that are have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to Wes Hays, Interim 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. The policy manual is located at the Central Office and is available for employee review during normal working hours. District policy is also available online at: [www.tasb.org/policy/pol/private/127903/index\\_main.cfm](http://www.tasb.org/policy/pol/private/127903/index_main.cfm). or a link is available on the District website.

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## **District Information**

### **Description of the district**

Hamlin ISD is located in Northwestern Jones County, Northeastern Fisher County and Southeastern Stonewall County with a total land area of 273 square miles. There are approximately 478 students enrolled. Taxable value is about \$64,724,108 million. The district employs approximately 90 people.

### **Mission statement, goals and objectives**

#### *Policy AE*

To help all students learn everything necessary to successfully assume the various roles of productive American adults.

### **Board of trustees**

#### *Policies BA, BB, BD 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 law 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 by a cumulative voting method and serve three-year terms. Trustees serve without compensation, must be registered voters, and must reside in the district.

Current Board members include:

Rick Rodgers-President	Tony Cole
Mason VanCleave-Vice President	James Edwards
Billy Bob Reynolds-Secretary	Paul Ray Hastings
	Langly Rister

The Board usually meets the second Thursday of each month at 6:00 P.M. in the Administration Building. Alternate date is the Tuesday following the second Thursday. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the Administration Building door 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. Board notices will also be posted on the District's web site.

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**

Interim Superintendent: Wes Hays  
High School Principal: Harvey Chapman  
Middle School Principal: Laura O'Rear  
Elementary School Principal: Lonnie Powell

## **Helpful contacts**

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

Carolyn Baird--Business Manager  
Debra Stevenson--Accounts Payable/Payroll Officer; Assistant Business Manager  
Diana Ferguson—Secretary to the Superintendent/Human Resources  
Tracy Carter--Food Service Director  
Dickie Wade—Maintenance and Transportation Director

# Employee Roster

## 2009 – 2010 Hamlin ISD Faculty and Staff

<u>High School Office</u>	<u>Middle School Office</u>	<u>Elementary School Office</u>	<u>Administration Office</u>
Chapman, Harvey-Princ.	O'Rear, Laura-Principal	Powell, Lonnie-Principal	Hays, Wes- Interim Superintendent
Ponder, Kim-Sec.	Bates, Billie-Sec.	Timmons, Yolanda-Sec.	Baird, Carolyn-Business Manager
Peña, Louise-Attn. Clerk		Higgins, Paula-Dist. Nurse.	Bogle, Katrina-Dist. Tech.Coord.
Steele, Melissa- Counselor		Jones, Michelle-Counselor	Ferguson, Diana-Supt. Sec./Human Res.
			Stevenson, Debra-AP, PR/Asst. Bus. Mgr.

<u>High School Teachers</u>	<u>Middle School Teachers</u>	<u>Elementary Teachers</u>	<u>Cafeteria</u>
Barrow, Joe	Hastings, Cindy	Barrow, Melissa	Carter, Tracy-Director
Biera, Steven	Jeffrey, Kelly	Bonds, Candice	Rojas, Mary-HS Mgr.
Cole, Michelle	Jentsch, Welf	Byerly, Kristi	Culpepper, Mitzi-ES Mgr.
Cowan, Cel	Lucas, Rosie	Davis, Dedra	Dancer, Debbie
Fillingim, Jimmy	Ponder, Lanett	Edwards, Diane	Ledesma, Lucy
Franco, Aida	Ratliff, Carole	Ferrero, Michelle	Mayes, Erma
Hartley, Tom	Sepeda, Joe	Gann, Angie	Villanueva, Sandy
Knightstep, Daniel	Wheat, Wendy	Hotchkin, Beth	Weaver, Betty
Lewis, Wilma	Woods, Jamie	McNally, Julie	
Lucas, Russell	Yarbrough, Linda	Moore, Marcia	
Lytle, Latrese		Powell, Susan	
McWilliams, Misty		Rodgers, Paula	
Ratliff, Bill		Shira, Terry	
Smith, Cody		Shuping, Kimberly	
Smith, Connie		Sullivan, Kristy	
VanCleave, Jori		Titus, Olivia	
Waters, David		Wills, Stephanie	

<u>High School Aides</u>	<u>Middle School Aides</u>	<u>Elementary School Aides</u>	<u>Transportation &amp; Maint.</u>
Clawson, Tammy	Clawson, Carolyn	Brown, Barbara	Baird, Bud -Bus Driver
	Coleman, Lavene	Crowley, Vickie	Flores, Carolina
	Martin, Laci	Diersing, Jean	Galloway, Daphne
	Wade, Ivie	Dunham, Tracy	Green, Ginger
	Williams, Al	Gruben, Sandra	Jernigan, Ronnie
	Yanez, Beatrice	Hall, Chanelle	Lechuga, Mary
		McNeely, Deanna	Payne, Darren
		Rister, Deidre	Wade, Dickie-Maint/Trans.Mgr.

## **Employment**

### **Equal employment opportunity**

*Policy DAA, DIA*

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

Employees with questions or concerns relating to discrimination on any of the basis listed above should contact Wes Hays, Interim Superintendent.

### **Job vacancy announcements**

*Policy DC*

Announcements of job vacancies by position and location are distributed on a regular basis and posted at the central administration building, campus offices, and on the district's Web site.

### **Employment after retirement**

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

### **Contract and noncontract employment**

*Policies DC, DCA, DCB, DCC, DCD, DCE*

State law requires the district to employ all full-time professional employees in positions requiring a certificate from State Board for Educator Certification (SBEC) under probationary or term 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.** Full-time professional employees new to the district and employed in positions requiring SBEC certification must receive probationary contracts during their first year of employment. Former employees who are hired after at least a two-year lapse in district employment also may be employed by probationary contract. Probationary contracts are one-year contracts. The probationary period for those who have been employed 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 superintendent determines it is doubtful whether a term contract should be given.

**Term contracts.** Full-time professionals employed in positions requiring certification will be employed by term contract 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 and employment policies.

TEC Chapter 21 contracts--The following employees are employed by the Board on auxiliary personnel agreements:

Business Manager  
Secretary to Superintendent/Human Resources  
Accounts Payable/ Payroll Officer/Asst. Business Manager

**All other paraprofessional and auxiliary employees.** The Board delegates to the Superintendent final authority to employ and dismiss noncontractual employees on an at-will basis. All paraprofessional and auxiliary employees, except those listed above, 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. These employees will receive Letters of Reasonable Assurance.

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

### *Policy DHE*

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

**Employees required to have a commercial driver's license.** Any employee 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 when their duties include driving.

Drug testing will be conducted before an individual assumes driving responsibilities. Alcohol and drug tests will be conducted if 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 Wes Hays, Interim Superintendent.

### **First aid, CPR and AED certification**

*Policy DBA, DMA*

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

Upon request from such coaches and sponsors the district superintendent will help to co-ordinate this required training. Coaches and sponsors are responsible for getting certificates on file in the central office. The district will pay associated, reasonable costs.

### **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 May 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 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-, 10 1/2-, 11-, or 12-month basis, according to the work

schedules set by the district. Each additional month of employment is 20 work days beyond the 10 month equivalent days established by TEA, currently 187. 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.

**Paraprofessional and auxiliary employees.** Support employees (teacher aides, library aides, etc.) will have the same required duty days as 10-month teachers. Other auxiliary employees (maintenance, custodial, food service, transportation) will receive annual notice of required service days, holidays, etc. Paraprofessional and auxiliary employees are not exempt from overtime and are not authorized to work in excess of their assigned schedule without prior approval from their supervisor.

## **Notification to parents regarding qualifications**

*Policies 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 also 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 serving with an emergency permit (including individuals waiting to take a certification exam) or individuals who do not hold any certificate or permit. Information relating to teacher certification will be made available to the public upon request.

Employees who have questions about their certification status may call Central Office.

## **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**

*Policies DN, DNA, DNB*

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 every two years. Employees on probationary contracts will be evaluated 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, have a performance conference with their supervisor, and get the opportunity to respond to the evaluation.

## **Employee involvement**

*Policies BQA, BQB*

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

## **Staff development**

*Policy DMA*

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

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

## **Compensation and benefits**

### **Salaries, wages, and stipends**

*Policy DEA*

Employees are paid in accordance with administrative guidelines and a pay structure established for each position. The district's pay plans are reviewed by the administration each year and adjusted as needed. All district positions are classified as exempt or nonexempt according to federal law. 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 nonexempt and are paid an hourly wage or salary.

Classroom teachers, full-time librarians 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 Central Office for more information about the district's pay schedules or their own pay.

## **Paychecks**

All employees are paid monthly. All personnel are to be paid through direct deposit to the banking institution of their choice. The employee's payroll statement is to be sent to the employee via email. If an employee is unable to access their payroll statement they can contact Debra Stevenson.

An employee's payroll statement contains detailed information including deductions, withholding information, and the amount of leave accumulated.

Payday will be the 26th of each month. If the 26th falls on a Saturday, payday becomes Friday, 25th. If the 26th falls on a Sunday, payday becomes Monday, 27th, or the next workday. The last workday before Christmas is the December payday. The last teacher workday in May is payday, if it is before the 26th. If the 26th falls on a school holiday, payday will be the last workday prior to the 26th. In this consideration, Saturdays and Sundays are not school holidays; they are weekends. If the 26th falls on a Saturday and the preceding day(s) is a school holiday, payday will be the last workday prior to that Saturday. If the 26th falls on a Sunday, payday will be the next workday regardless of preceding holidays. December and May holidays may be exceptions.

## **Payroll deductions**

### *Policy CFEA*

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

- Teacher Retirement System of Texas (TRS)
- Federal income tax
- Medicare tax (applicable only to employees hired after March 31, 1986)

Temporary and part-time employees who are not eligible for TRS membership must have their FICA Alternative Plan contributions deducted.

Other payroll deductions employees may elect include: deductions for the employee's share of premiums for health, dental, life, cancer insurance; annuities; higher education savings plan; and savings deposits and loan payments through Abilene Teachers Federal Credit Union. Employees also may request payroll deduction for payment of membership dues to professional

organizations and United Fund. Salary deductions are automatically made for unauthorized or unpaid leave.

## **Overtime compensation**

### *Policy DEA*

The district compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Professional and administrative employees are ineligible for overtime compensation. Only nonexempt employees (hourly employees and paraprofessional employees) are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond their normal work schedule (not to exceed 40 hours per week) without advance approval from their supervisor.

For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Sunday and ends at midnight Saturday.

## **Travel expense reimbursement**

### *Policy DEE*

Before any travel expenses are incurred by an employee, the employee's supervisor and superintendent must give **approval**. For approved travel, employees will be reimbursed for travel expenditures according to the current rate schedule authorized by the Board of Trustees and the Internal Revenue Service. The current mileage reimbursement rate is 55 cents per mile. The current meal reimbursement rate is \$30 per day; this amount is for meals only and does not include snacks, sodas, water, etc., between meals. Request for travel advances should be made on the **OUT-OF-DISTRICT TRAVEL** form located in the Book of Forms in the teacher workroom at each campus. These forms must be turned in to the Central Office by 4:00 P.M. on Thursday. Checks are written on Friday of each week. When you request travel money, be aware that the Board of Trustees **requires receipts**. There must be a receipt turned in for every dollar you request or the difference must be refunded to the district. The district has three credit cards, which you may use to guarantee hotel reservations. When making hotel reservations, be sure to obtain proper documentation (confirmation numbers, cancellation policy, cancellation numbers, person spoken to, etc.) and inquire about state rate availability. The district has a limit of up to \$85.00 per night (the state rate) for a room. Per Board approval 2/15/07, if employees decide to share a room, the District will pay up to double the state rate. Each campus office has the "Texas State Hotel Directory" which lists hotels that are within the \$85.00 limit. Employees may still use a gas credit card when taking a school vehicle.

Immediately upon return from your trip, bring the Travel Voucher envelope to the Central Office. ALL RECEIPTS (food, lodging, gasoline, etc.), any excess money and credit cards should be in the Travel Voucher envelope. At this time, your hotel/meal receipts will be tallied and you will be required to reimburse the District the amount charged to VISA that exceeds the rooms/meals limit.

Bus/Vehicle requests are to be approved by your principal and brought to the superintendent's office **four (4)** days prior to your trip. Vehicle requests for ATHLETIC events are to be approved by the campus principal and Wes Hays, Interim Superintendent, only.

When taking students on a trip (athletic, UIL, academic, etc.) use the STUDENT-OUT-OF-DISTRICT TRAVEL form to request meal money, etc. You must request the same amount per meal for yourself as for the students. Request these funds prior to the trip to eliminate charging whenever possible. If it is necessary to charge, you **must** obtain a receipt from the restaurant. Upon your return, complete a Request for Payment form, attach the charge receipt and send it to the Central Office for timely payment.

Requests for entry fees--golf, track, UIL, etc.--are to be approved by your principal and sent to the Central Office by 4:00 P.M. Thursday. You may use a REQUEST FOR PAYMENT form for these types of requests.

## **Health, dental, and life insurance**

### *Policy CRD*

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

- Employees (both full- and part-time) 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. These employees are eligible to participate in the program only if they pay all of the premiums and other costs associated with the health coverage plan selected by the employee.

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 the *TRS-Active-Care Health Benefits* booklet. Employees should contact Debra Stevenson for more information.

## **Supplemental insurance benefits**

### *Policy CRD*

At their own expense, employees may enroll in supplemental insurance programs for cancer, disability or life insurance, etc. Premiums for these programs can be paid by payroll deduction. If you choose to enroll for a deduction of this type, an authorization form must be on file before deduction can start. Employees should contact Debra Stevenson for more information.

## **Cafeteria plan benefits (Section 125)**

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

The Cafeteria Plan is administered through the Region 14 Education Service Center Employee Benefits Cooperative. First Financial Group (FFG) will be the third party administrator of the District's Cafeteria Plan. Direct all questions to FFG at 673-4882.

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. 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. The district has its own partially self-funded plan with School Comp.

When an accident occurs, the employee must immediately report it to the Principal or immediate supervisor and complete the following forms. ***These forms are very time-sensitive-- all forms should be completed the same day the incident occurs- NOT LATER than 24 hours after the occurrence.***

(1) EMPLOYER'S FIRST REPORT OF INJURY OR ILLNESS. The principal or immediate supervisor completes the form from line 1 to 29 and from line 40 to 51. Central Office will complete items 30-39. The employee must not sign this form--the principal signs the form on line 51.

(2) WORKERS' COMPENSATION INCIDENT CHECKLIST. To be completed by the immediate supervisor of the injured employee.

(3)EMPLOYEE REPORT OF INJURY INCIDENT. To be completed by the injured employee in his/her own handwriting, with assistance from his/her immediate supervisor if necessary.

(4) WITNESS REPORT OF EMPLOYEE INJURY. To be completed by any witness to an employee injury. This form should be completed independently, with no conversation between the witness and the injured employee.

(5) IMMEDIATE SUPERVISOR REPORT OF EMPLOYEE INJURY. To be completed by the immediate supervisor of the injured employee.

(6) IMPORTANT NOTICE TO MEDICAL PROVIDER. Injured worker presents this form to the medical care provider. Tell the doctor's office this is a Worker's Comp. Claim and do not pay the bill. If the doctor's office needs more information, have them call the superintendent's office. Employees who are unable to work due to a work-related injury will be notified of their rights and responsibilities under the Texas Labor Code. Hamlin ISD's workers' compensation program is partially self-funded, creating a local financial impact when work-related injuries or illnesses occur. Because of that, but more so because we want all to be free from injury, whole and

healthy, do not take unnecessary physical risks. Be alert at all times not to endanger yourself or others and report all potential hazards.

(7) NOTICE OF INJURED EMPLOYEE RIGHTS AND RESPONSIBILITIES. These notices inform you of your rights and responsibilities in the Texas Workers' Compensation System. In the event of an injury, please review these notices.

## **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 Central 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 their supervisor and TRS 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](http://www.trs.state.tx.us)). See page 10 for information on restrictions of employment of retirees in Texas public schools.

## **Other benefit programs**

Athletic passes for admission to home athletic events will be given to all employees. These passes are for employee use only; they are not intended for family use.

## **Leaves and absences**

*Policy DEC, DECA, DECB*

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

Employees who take an unpaid leave of absence may continue their insurance benefits at their own expense. Health care benefits for employees on leave authorized under the Family and Medical Leave Act will be paid by the district as they were when they were working. Otherwise, the district does not make benefit contributions for employees who are on unpaid leave.

Employees must follow district and department or campus procedures to report or request any leave of absence and complete the appropriate leave request form. Any employee who is absent more than five days because of a personal or family illness may be required to 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.

State personal and local sick leave is earned on a days worked basis. Leave is available for the employee’s use before actually earned. 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.

### **Personal leave**

State law entitles all employees to five days of paid personal leave per year. Personal leave is earned at a rate of 1/2 day for each 18 workdays of employment. 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 that is 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 allows very little, if any advanced planning and will be granted to employees in the same manner as state sick leave.

**Discretionary.** Leave that is taken at an employee’s discretion and that can be scheduled in advance is considered discretionary leave. An employee wishing to take discretionary personal leave must submit a request to his or her principal or supervisor five days in advance of the anticipated absence. Discretionary personal leave will be granted on a first-come, first-served basis. The effect of the employee’s absence on the educational program or department operations, as well as the availability of substitutes, will be considered by the principal or supervisor. Discretionary leave may not last more than three consecutive workdays. The reasons for which personal leave may be used will not be limited by the District.

### **Sick leave**

Previously accumulated state sick leave is available for use and may be transferred to other school districts in Texas.

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

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

## **Extended sick leave**

After all available state and local leave days have been exhausted, an employee shall be granted in a school year a maximum of ten workdays of extended sick leave to be used for the employee's personal illness or injury, including pregnancy-related illness or injury, or for absences related to the illness or injury of a member of the employee's immediate family.

For professional employees, the average daily rate of pay of a substitute shall be deducted for each day of extended sick leave taken, whether or not a substitute is employed. For employees other than professionals, an amount equal to one-third the individual employee's daily rate of pay shall be deducted for each day of extended leave taken.

## **Local personal leave**

All employees of HISD shall earn two workdays of local personal leave per school year at the rate of one per semester. Local personal leave shall be taken with no loss of pay and accumulated without limit and shall be used according to the terms and conditions of State personal leave.

Any District employee shall be permitted to voluntarily donate local personal leave days to any other District employee who has experienced catastrophic illness or injury, either personally or by members of his/her immediate family. Local personal leave donations shall be made in increments of no less than one-half workday and limited to (2) two personal leave days per year, per employee. Donated days shall be credited to the receiving employee and are not refundable to the donor. The two day limit may be waived under extenuating circumstances subject to Board approval. Such donations shall be requested on the appropriate District forms, located in the Book of Forms at each campus, and must be approved by the Superintendent of schools.

Absence From Duty forms are in the Book of Forms in the teacher workroom at each campus. Absence From Duty forms must be completed every time an employee is absent from their regularly assigned duty EVEN IF SOMEONE IS COVERING FOR THE EMPLOYEE AND NO SUBSTITUTE IS HIRED. Absence From Duty forms must be signed by the employee, the Principal, immediate supervisor, or Superintendent. YOU decide which type of leave you want to use for each absence and check the appropriate box. If no leave is selected on the Absence From Duty form, available paid state and local leave shall be used in the following order: Local leave, State sick leave accumulated before the 1995-1996 school year and State personal leave.

## Local Leave

### Family and Medical Leave (FMLA)—general provisions

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

**Basic Leave Entitlement.** 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 duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

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

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

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

**Eligibility Requirements.** Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

**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 FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

**Employee Responsibilities.** Employees must provide 30 days advance notice of the need to take FMLA leave 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 leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

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

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

**Unlawful Acts by Employers.** FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right protected under FMLA;

- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

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

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

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

For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[www.wagehour.dol.gov](http://www.wagehour.dol.gov)

## **Local FMLA provisions**

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period beginning on the first duty day of the school year.

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

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

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

**District contact:** Employees that require FMLA leave or have questions should contact Debra Stevenson for details on eligibility, requirements, and limitations.

## **Temporary disability leave**

**Certified employees.** Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) or by the district is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical

disability of a temporary nature. Temporary disability leave must be taken as a continuous block of time. It may not be taken intermittently or on a reduced schedule. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability.

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

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

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

## **Workers' compensation benefits**

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

An employee receiving workers' compensation wage benefits for a job-related illness or injury may choose to use accumulated sick leave or any other paid leave benefits. An employee choosing to use paid leave will not receive workers' compensation weekly income benefits until all paid leave is exhausted or to the extent that paid leave does not equal the pre-illness or -injury wage. If the use of paid leave is not elected, then the employee will only receive workers' compensation wage benefits for any absence resulting from a work related illness or injury, which may not equal his or her pre-illness or -injury wage.

## **Assault leave**

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

An employee who is physically assaulted at work may take all the leave time medically necessary (up to two years) to recover from the physical injuries he or she sustained. At the

request of an employee, the district will immediately assign the employee to assault leave. Days of leave granted under the assault leave provision will not be deducted from accrued personal leave and must be coordinated with workers' compensation benefits. Upon investigation the district may change the assault leave status and charge leave used against the employee's accrued paid leave. The employee's pay will be deducted if accrued paid leave is not available.

## **Jury duty**

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Employees may be required to present documentation of the service and may keep any compensation they receive.

## **Other court appearances**

Employees will be granted paid leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding. Employees may be required to submit documentation of their need for leave for court appearances.

## **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 United States Armed Forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty orders. Paid military leave will not exceed 15 days each federal fiscal year (October 1 – September 30). In addition, an employee is entitled to use available state and local personal or sick leave during a time of active military service.

**Reemployment after military leave.** Employees who leave the district to enter into the United States uniformed services or who are ordered to active 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 can be qualified to perform the required duties. To be eligible for reemployment, employees must provide notice of their obligation or intent to perform military service, provide evidence of honorable discharge or release, and submit an application for reemployment to the Central office.

**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 Central Office for details on eligibility, requirements and limitations.

# **Employee relations and communications**

## **District communications**

Throughout the school year, the Central Office publishes letters, memos, schedules and other communication materials. These publications offer employees and the community information pertaining to school activities and achievements. Employees are to carefully monitor these communications and comply or respond appropriately. All employees are encouraged to openly and productively communicate, verbally and in writing with all other employees.

## **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 listed below:

*Refer to text of DGBA (Local) in Board Policy Manual*

## **Employee conduct and welfare**

### **Standards of conduct**

*Policy DH*

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

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor 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 procedures and policies.

- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to SBEC not later than the seventh day the superintendent first learns of the incident. See *Reports to the State Board for Educator Certification*, page 40, for additional information.

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

## **Code of Ethics and Standard Practices for Texas Educators**

### **Statement of Purpose**

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

### **Professional Standards**

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

**Standard 1.1** The educator shall not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.

**Standard 1.2** The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

**Standard 1.3** The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

**Standard 1.4** The educator shall not use institutional or professional privileges for personal or partisan advantage.

**Standard 1.5** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not

restrict the acceptance of gifts or tokens offered and accepted openly from students, parents, or other persons or organizations in recognition or appreciation of service.

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

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

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

## **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, sex, disability, or family status.

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

**Standard 2.7** The educator shall not retaliate against any individual who has filed a complaint with the SBEC under this chapter.

## **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 knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health, or safety.

**Standard 3.3** The educator shall not deliberately or knowingly misrepresent facts regarding a student.

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

**Standard 3.5** The educator shall not engage in physical mistreatment of a student.

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

**Standard 3.7** The educator shall not furnish alcohol or illegal/unauthorized drugs to any student or knowingly allow any student to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

## **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 found at **DIA (LOCAL)** in the Board Policy Manual.

## **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 of a student will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to the appropriate authorities, as required by law. See *Reporting suspected child abuse*, page 31 for additional information.

The district's policy that includes definitions and procedures for reporting and investigating harassment of students is found at **DF (LEGAL)** and **FFH (LOCAL)** in the Board Policy Manual.

## **Alcohol- and drug-abuse prevention**

*Policies DH, DI*

Hamlin 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 is found at **DH (Local)** and **DI (Exhibit)** in the Board Policy Manual.

## **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 Texas Family Code and includes any sexual conduct involving an educator and a student or minor. Reports to Child Protective Services can be made to the Texas Abuse Hotline (800-252-5400). For ongoing cases or information, call the local office in Haskell, 940-864-2682. 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 for the commission of a Class B misdemeanor. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures by SBEC for a violation of the Code of Ethics and Standard Practices for Texas Educators.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the campus principal. This includes students with disabilities who are no longer minors. Employees are not required to report their concern to the principal before making a report to the appropriate agencies. In addition, employees must cooperate with child abuse and neglect investigators. Reporting the concern to the principal does not relieve the employee of the requirement to report to the appropriate state agency. Interference with a child abuse investigation by denying an interviewer's request to interview a student at school or requiring the presence of a parent or school administrator against the desires of the duly authorized investigator is prohibited.

## **Fraud and financial impropriety**

*Policy CAA*

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

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document

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

## **Conflict of interest**

*Policies BBFA, DBD*

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

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

## **Gifts and favors**

*Policy DBD*

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

## **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*

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 the superintendent.

## **Tobacco use**

### *Policies DH, GKA, FNCD*

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

## **Criminal history background checks**

### *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, 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, the following:

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

## **Possession of firearms and weapons**

### *Policies FNCG, GKA*

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

## **Visitors in the workplace**

### *Policy GKC*

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

## **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 backup of computer programs and data must be made within the provisions of the purchase agreement.

## **Computer use and data management**

### *Policy CQ*

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

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

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

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

## **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 piece of district property. A copy of the district's management plan is kept in the Central Office and is available for inspection during normal business hours.

## **Pest control treatment**

### *Policy DI, CLB*

Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of the integrated pest management (IPM) coordinator (Dickie Wade). 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 posted at each campus. Pest control information sheets are available from campus principals or facility managers upon request.

## **Other topics**

### 1. INVENTORY

Each employee is responsible for the fixed assets inventory in his or her room. At the beginning of school take a complete inventory of your room. Keep the inventory sheet in your room and make changes to it if something is added or removed during the year. Be sure it is complete before the last day of the school year, and turn it in to the campus secretary so the changes can be recorded in the Central Office during the summer.

### 2. PERSONAL/LONG DISTANCE TELEPHONE CALLS

Personal telephone calls are not to be charged to the school. Either charge them to your own personal credit card, home phone, or make the call from home.

### 3. USE OF PERSONAL VEHICLE FOR SCHOOL PURPOSES

You are entitled to reimbursement for use of your personal vehicle for school related trips **only** when you have requested a school-owned vehicle and such is not available or you have made prior arrangement with the superintendent due to extenuating circumstances. The current mileage reimbursement rate is 55 cents per mile.

### 4. HEATING AND COOLING UNITS

If the heater or air conditioner is not working properly in your area, turn in an explanation of the problem to your campus secretary who in turn will report it to the Central Office so maintenance service may be requested.

### 5. MAINTENANCE REQUESTS

Maintenance request forms are in the Book of Forms at each campus. Use this form to request any maintenance service (repairs, moving desks, etc.). Turn the completed form in to your principal.

### 6. STUDENT INSURANCE

Attention principals, coaches and teachers: Mrs. Higgins, school nurse, will file insurance claims for student accidents, so be sure she is notified about the accident as soon as possible.

### 7. FLOWER FUND

Hamlin ISD will provide floral arrangements for the following:

- Death of an employee or member of employee's immediate family (spouse, mother, father, child)
- Death of a Board member, or former Board member
- Hospitalization of an employee for 24 hours or longer

The card with the arrangement will be signed "Hamlin ISD Board of Trustees, Administration, Teachers and Staff". If an employee wishes to send flowers for other

occasions not mentioned in this policy, the employee will be responsible for the cost. Please notify the Superintendent's secretary when flowers are needed and she will place the order.

## **General procedures**

### **Bad weather closing**

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

Radio: KVRP, Haskell 97.1 FM  
KGNZ, Abilene 88.1 FM

Television: KRBC, Abilene  
KTAB, Abilene  
KTXS, Abilene

### **Emergencies**

*Policy CKC*

All employees should be familiar with the evacuation diagrams posted in their work areas. Fire, tornado, and other emergency drills will be conducted to familiarize employees and students with evacuation procedures. Fire extinguishers are located throughout all district buildings. Employees should know the location of the extinguishers nearest their place of work and how to use them.

### **Purchasing procedures**

*Policy CH*

All requests for purchases must be submitted to the accounts payable clerk in the Central office 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.

Purchase Order Procedure:

Purchase orders can be accessed through Excel on your personal computer. If your computer does not have this purchase order file, the campus secretary has a copy of the file. Type in the requested information (vendor name, mailing address or fax number, items to be ordered, price and budget expenditure code) and submit the purchase order to the principal for approval. The Superintendent's and Business Manager's approval and signature are required **before** placing the

order. After the purchase order has been approved, a copy of the PO will be mailed or faxed to the vendor. A pink copy will be returned to the campus secretary.

When the order is received, check to see that all items are received. Sign and date the pink copy of the PO and return to Central office. If the invoice comes with the order, turn it in to the Central office also. The copy of the PO and the invoice must be turned in before payment can be made for the item purchased.

Contact Debra Stevenson in the Central office 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 Central Office if there are any changes or corrections to their name, home address, home telephone number, marital status, emergency contact, or beneficiary.

## **Personnel records**

*Policy GBA*

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

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

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

## **Building use**

*Policies DGA, GKD*

Employees who wish to use district facilities after school hours must follow established procedures. Building principals are responsible for scheduling the use of facilities after school hours. Contact the appropriate principal to request to use school facilities and to obtain information on the fees charged.

# Termination of employment

## Resignations

*Policy DFE*

**Contract employees.** Contract employees may resign their position without penalty at the end of any school year if written notice is received 45 days before the first day of instruction of the following school year. A written notice of resignation should be submitted to the superintendent. Contract employees may resign at any other time only with the approval of the Board of Trustees. Resignation without the consent of the Board 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 40.

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

## Dismissal or nonrenewal of contract employees

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

Employees on probationary and term contracts can be dismissed during the school year or nonrenewed at the end of the year according to the procedures outlined in district policies. Contract employees dismissed during the school year, suspended without pay, or subject to a reduction in force are entitled to receive notice of the recommended action, an explanation of the charges against them, and an opportunity for a hearing. The time lines and procedures to be followed when a suspension, termination, or nonrenewal occurs will be provided when a written notice is given to an employee. Advance notification requirements do not apply when a contract employee is dismissed for failing to obtain or maintain appropriate certification or whose certification is revoked for misconduct. Information on the time lines and procedures can be found in the *DF series* policies in the Board Policy Manuals.

## 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 legal rights. Noncontract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the district process outlined in this handbook when pursuing the grievance. (See *Complaints and grievances*, page 27.)

## **Exit interviews and procedures**

### *Policy DC*

Exit 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, and equipment must be returned upon separation from employment.

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

### *Policy DF*

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

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

## **Reports concerning court-ordered withholding**

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

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

## **Student issues**

### **Equal educational opportunities**

*Policies FB, FFH*

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

Questions or concerns about discrimination of students on any of the basis listed above 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 teachers or the appropriate administrator at any time. Parents and students with complaints that cannot be resolved to their satisfaction should be directed to the campus principal. The formal complaint process provides parents and students with an opportunity to be heard up to the highest level of management if they are dissatisfied with a principal's response.

## **Administering medication to students**

### *Policy FFAC*

Only designated employees 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.

Employees authorized by the Superintendent or designee may administer to students:

Prescription medication in accordance with legal requirements

Nonprescription medication, upon a parent's written request, when properly labeled and in the original container

Herbal substances or dietary supplements provided by the parent and only if required by the Individualized Education Program or Section 504 plan of student with disabilities

Nonprescription medication provided on an emergency basis by the District and consistent with:

Protocols established by the District's medical advisor who must be licensed to practice medicine in the state of Texas

Parental consent given on the emergency treatment form

## **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 discipline**

*Policies in the FN series and FO series*

Students are expected to follow the campus rules, classroom rules, and rules listed in the Student Code of Conduct and Student Handbook. Teachers and administrators are responsible for taking disciplinary action based on a range of discipline management 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. The district's policy that includes definitions and procedures for reporting and investigating bullying of students can be found at **FFI (LOCAL)**.

## **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 discipline person.

